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CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION

Third periodic reports of States parties

CANADA*

* For the initial report submitted by the Government of the Canada, see CEDAW/C/5/Add.16; for its consideration by the Committee, see CEDAW/C/SR.48, CEDAW/C/SR.54, CEDAW/C/SR.61 and CEDAW/C/SR.62, and Official Records of the General Assembly, fortieth session Supplement No. 45 (A/40/45), paras. 30-73; for the second periodic report submitted by the Government of the Canada, see CEDAW/C/13/Add.11, Parts I and II, for its consideration by the Committee, see CEDAW/C/SR.167, and Official Records of the General Assembly, forty-fifth session Supplement No. 38 (A/45/38), paras 410-436. This document has not been edited.

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INTRODUCTION

1. Canada ratified the *Convention on the Elimination of All Forms of Discrimination against Women* on December 10, 1981, and submitted its initial report in June 1983 and its second report in January 1988. This report is the third submitted by Canada under the Convention. The main period covered is from January 1987 to December 1990.

2. Canada is a federal state comprised of ten provinces (Alberta, British Columbia, Manitoba, New Brunswick, Newfoundland, Nova Scotia, Ontario, Prince Edward Island, Québec and Saskatchewan), and two territories (the Northwest Territories and the Yukon). While the ratification of international treaties is the prerogative of the Government of Canada, the implementation of the treaties requires the active participation of the governments which have jurisdiction over the subject matters covered. In Canada, the responsibility for the subject matters covered by the *Convention on the Elimination of All Forms of Discrimination against Women* is shared by the Government of Canada, the provincial governments and, following a delegation of authority by the Parliament of Canada, the territorial governments.

3. This third periodic report is composed of three parts. Part I contains a statistical overview. Part II contains a review of the jurisprudence applicable to the Convention. Part III contains a review of measures adopted by the federal, provincial, and territorial governments as prepared by these respective governments. The report follows, in as much as possible, the guidelines issued by the Committee on the Elimination of Discrimination against Women.

PART I: STATISTICAL OVERVIEW

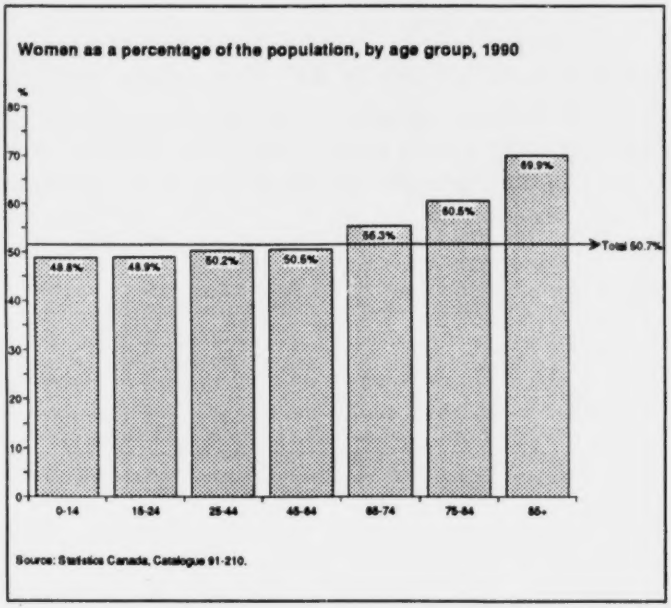
Introduction

4. The guidelines issued by the Committee on the Elimination of Discrimination against Women request States Parties to submit data that reflect the actual realities and general conditions that exist in the country (heading 5). A statistical overview was inserted in Canada's second report under the Convention to illustrate some aspects of Canada's situation. The present statistical overview and the figures and tables that accompany it are also provided to meet the Committee's request. As was the case for the second report, four categories of indicators were selected, i.e. social characteristics, education, economic characteristics, and public life. Although some data are new, in general the same type of data have been retained to allow for comparisons between the two reports.

I. Social characteristics

(*a*) Population

5. Women continue to constitute a slight majority of the Canadian population. In 1990, 50.7 percent of all Canadians were female, up from 50.4 percent in 1981. Between 1981 and 1990, the number of women in Canada rose 9.8 percent from 12.3 million to 13.5 million. During the same period, the number of men rose 8.6 percent.

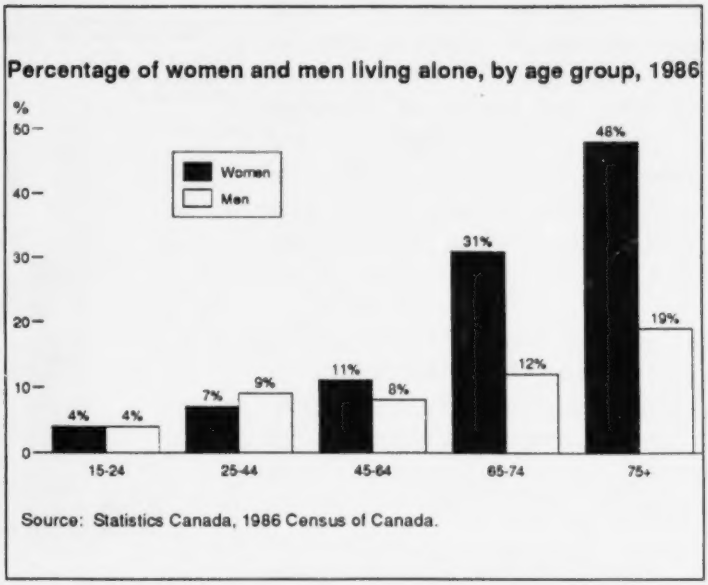


6. Women's representation is especially high in older age groups. In 1990, women accounted for 55.3 percent of all 65-74-year-olds, 60.5 percent of those aged 75-84, and 69.9 percent of people over the age of 85.

7. On the other hand, females make up smaller shares of younger age groups. In fact, just under 49 percent of both children aged 0-14 and people aged 15-24 were female. Women accounted for 50.2 percent of the population aged 25-44 and 50.5 percent of those aged 45-64.

8. Substantial proportions of women in Canada are immigrants and members of visible minority groups. In 1986, immigrants made up close to 16 percent of the female population. Just over 6 percent of women were identified as members of visible minorities, while close to 3

percent had aboriginal origins. These percentages were similar to the corresponding figures for men.



(*b*) Family status

9. The majority of Canadian women live in some type of family setting. In 1986, 81 percent of all women aged 15 and over lived in families: 59 percent were spouses in married-couple families; 7 percent headed lone-parent families; and 15 percent were children living at home.

10. The number of female-headed lone-parent families is growing. By 1986, 701,900 families were headed by a female lone parent, a 19 percent increase since 1981. These families represented 10.4 percent of all families in 1986, compared with 9.3 percent in 1981.

11. The proportion of women living alone has also risen. Between 1981 and 1986, the number of women living in one-person households increased 15 percent from 987,500 to 1,137,600. In 1986, they represented 12 percent of all women aged 15 and over, up from 11 percent in 1981. By contrast, fewer than 800,000 men, just 8 percent of all adult males, were living alone in 1986.

12. Elderly women are, by far, the group most likely to live alone. In 1986, 38 percent of all women over age 65 lived alone. This compared with just 15 percent of elderly men.

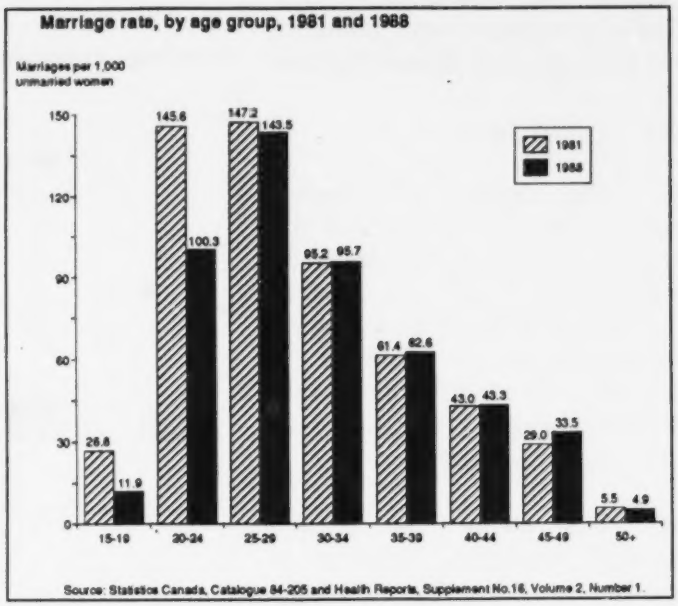
13. Women aged 45-64 were also more likely than their male counterparts to live alone. In 1986, 11 percent of women in this age range lived alone, compared with 8 percent of men. By contrast, at ages 25-44, the percentage of women living alone (7 percent) was less than the figure for men (9 percent). Among 15-24-year-olds, almost the same proportion (just under 4 percent) of women and men lived alone.

(*c*) Marriage and divorce

14. From 1981 to 1988, the marriage rate fell from 52.6 to 45.6 marriages for every 1,000 single, divorced, and widowed women aged 15 and over. However, while marriage rates declined among women under age 30, they rose slightly among older women.

15. The marriage rate for 15-19-year-olds was 11.9 per 1,000 in 1988, less than half the 1981 level of 26.8. The decrease among women aged 20-24 was also significant: from 145.6 to 100.3. For those aged 25-29, there was a slight drop in the rate from 147.2 to 143.5.

16. By contrast, there have been small upturns in marriage rates of women aged 30-49. Between 1981 and 1988, the number of marriages per 1,000 single, divorced, and widowed women aged 45-49 rose from 29.0 to 33.5. Rates also increased slightly among women aged 30-44.



17. Higher marriage rates among women aged 30-49 may reflect, in part, remarriages of divorced women. In fact, 20 percent of women who got married in 1988 had previously been divorced.

18. The incidence of divorce rose somewhat during the 1980s. Between 1981 and 1988, the number of divorces per 100,000 married women increased 11 percent from 1,129 to 1,256. The 1988 figure, though, was actually down from 1,435 in 1987; the rate that year was particularly high because of a change in Canada's divorce legislation which came into effect June 1, 1986.

19. Women retain custody of the majority of children involved in divorces. In 1988, wives were granted custody of 76 percent of all children involved in divorces; in cases where the wife was the applicant, this proportion was 83 percent. As well, in another 10 percent of cases, joint custody was awarded.

(*d*) Widowhood

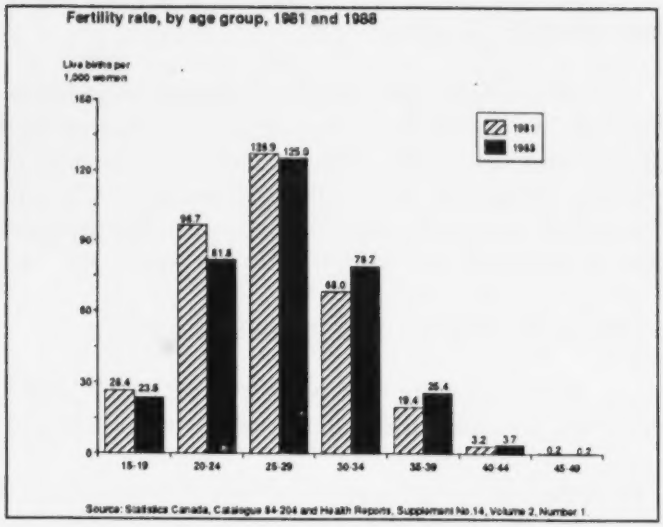
20. Women are much more likely than men to be widowed. In 1988, 10 percent of all women aged 15 and over were widows, compared with just 2 percent of men. Among those aged 65 and over, almost half (48 percent) of women were widowed, compared with 14 percent of men. This disparity occurs because, on average, women live longer than men; as well, they tend to marry men several years older than themselves.

(*e*) Fertility

21. Canadian women are having fewer children. The general fertility rate, that is, the number of births per 1,000 women aged 15-49, fell from 56.7 in 1981 to 54.1 in 1988.

22. The fertility decline during the 1980s affected only women under age 30. During this period, fertility rates of women over age 30 increased.

23. The maternal death rate dropped from 0.6 deaths per 10,000 live births in 1981 to 0.5 in 1988.



(*f*) Abortion

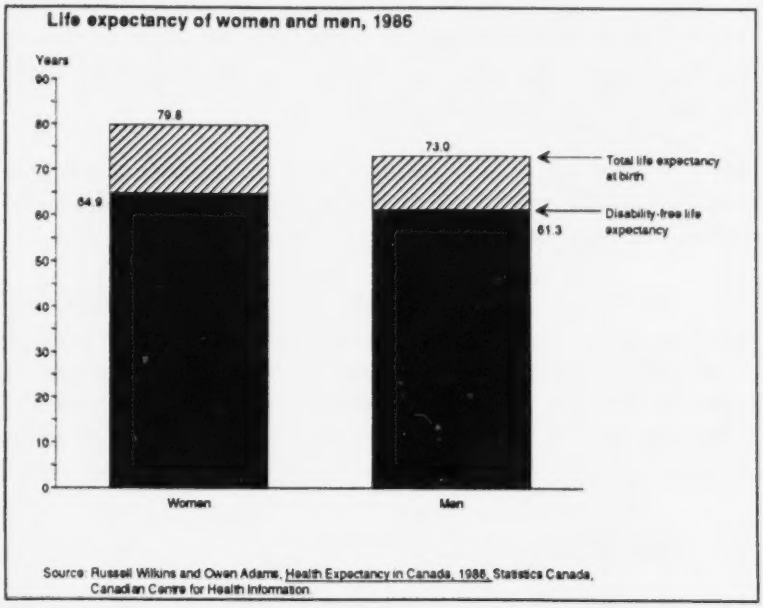
24. There were 17.2 therapeutic abortions in hospitals per 100 live births in 1987. This was up slightly from 16.5 in 1983 and 1984, but down from 17.8 in 1982.

25. Women aged 18-19 were most likely to have abortions; the rate was also relatively high among 20-24-year-olds.

(*g*) Life expectancy

26. Women tend to live longer than men. Life expectancy for girls born in 1986 was 79.8 years, compared with 73.0 years for boys. However, the increase in female life expectancy (0.8 years) between 1981 and 1986 was less than that for males (1.1 years.)

27. Although life expectancy for newborn girls was 6.8 years longer than that of newborn boys in 1986, their disability-free life expectancy was only 3.6 years longer. Similarly, while 65-year-old women could expect to live about 4.3 years longer, on average, than their male contemporaries, the difference in disability-free time was only 1.3 years.



(*h*) Disabilities

28. Disabilities are slightly more common among women than among men. In 1986, 14 percent of women were disabled, compared with 13 percent of men.

29. This overall difference was entirely attributable to a relatively high rate of disability among elderly women. In 1986, 57 percent of women aged 75-84 were disabled, compared with 48 percent of men in this age range. At age 85 and over, disability rates were 85 percent among women and 75 percent among men.

30. Female disability rates, though, were slightly lower than those of men for all age groups younger than 75.

31. Elderly women with disabilities are also more likely than their male counterparts to live in institutions. In 1986, 19 percent of disabled women aged 65 and over resided in institutions, compared with 12 percent of men. The difference was most evident among those over age 85: 46 percent of disabled women lived in institutions, compared with 34 percent of disabled men. These variations in living arrangements occur because elderly women are more likely than elderly men to be widowed, and therefore, do not have a spouse to care for them at home.

(*i*) AIDS and other sexually transmitted diseases

32. As of November 1990, 6 percent of all AIDS cases (fewer than 260) involved women. As well, women accounted for 4 percent of new cases reported between January and November 1990.

33. Women are also somewhat less likely than men to contract gonorrhea or syphilis. In 1989, women made up 46 percent of gonorrhea cases. Also, the number of women with this disease declined by 10 percent in 1989, while the number of men fell only 4 percent.

34. Women aged 15-19, however, were twice as likely as comparable men to contract gonorrhea. In contrast, for people over age 20, the number of female victims was half that of men.

35. The incidence of syphilis, once the most serious sexually transmitted disease, has been very low in Canada since the mid-1950s. In 1989, just under 1,500 cases were reported in Canada, 42 percent of which involved women.

36. Women, especially younger women, experience a higher reported incidence of both herpes and chlamydial infections than men. In 1988, 68 percent of all reported herpes cases and 77 percent of chlamydial infections involved women.

37. The vast majority of female victims of both herpes and chlamydial infections are young adult women. In 1988, 79 percent of all females with herpes and virtually all those with chlamydial infections (97 percent) in which the age of the victim was known involved women aged 15-39. Overall, women aged 15-24 were three and a half times more likely than men in the same age group to have herpes and four times more likely to have a chlamydial infection. Women aged 25-39 were twice as likely as comparable men to have either of these conditions.

(*j*) Mortality

38. Women's death rate is lower than that of men. In 1988, there were 6.5 deaths for every 1,000 women, compared with 8.1 for men.

39. Lower female death rates prevail at all ages. For example, there were 6.3 infant deaths for every 1,000 live births of girls in 1988, compared with 8.0 infant deaths for boys. At the other end of the age range, the death rate at ages 85 and over was 144.3 per 1,000 women, compared with 193.9 for men.

40. The two leading causes of death for both women and men are heart disease and cancer. In 1988, heart disease accounted for 30 percent of all deaths of Canadian women, while another 26 percent were attributable to cancer. These figures were roughly the same as those for men. However, cerebrovascular disease was the third most frequent cause of death for women (10 percent), whereas accidents and other adverse effects such as suicide and homicide ranked third for men.

41. Women are far less likely than men to commit suicide. In 1988, there were 6 suicides for every 100,000 women, compared with 21 for men.

42. The age distribution of women who commit suicide differs from that of men, though at all ages, the female suicide rate is much lower. The highest female suicide rate in 1988 was among women aged 45-49. That year, there were 10 suicides for every 100,000 women in this age range. In contrast, rates among men peaked at ages 20-29 and 75-84, at more than 30 suicides per 100,000 population.

43. Women are also less likely than men to be homicide victims. In 1988, 35 percent of homicide victims were women.

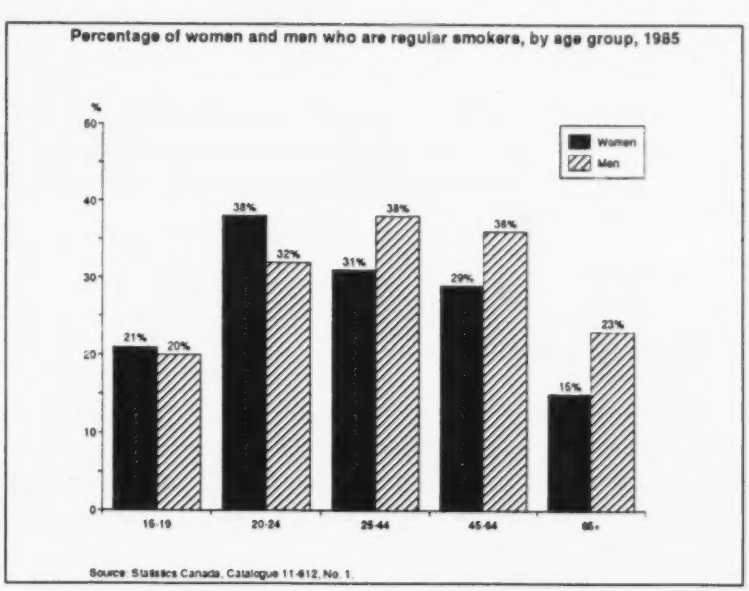
44. However, a higher proportion of female than male homicide victims are killed by an immediate relative. In 1988, 57 percent of all female homicide victims were killed by a family member, whereas the figure for men was 24 percent.

45. As well, wives are more likely than husbands to be murdered by their spouse. In 1988, 70 women were killed by their husbands, compared with 21 men who were killed by their wives. Nonetheless, the number of women murdered by their spouse in 1988 was one of the lowest totals in the last decade.

(*k*) Lifestyle health risks

46. Fewer women than men smoke. In 1985, 28 percent of women aged 15 and over identified themselves as regular smokers, compared with 33 percent of men. Another 4 percent of both sexes were occasional smokers.

47. Among young adults, however, women are more likely than men to be regular smokers. At ages 20-24, 38 percent of women compared with 32 percent of men were



regular smokers, while among 15-19-year-olds 21 percent of women and 20 percent of men smoked regularly.

48. The percentage of women who consume alcoholic beverages is also less than that of men. In 1989, 72 percent of women had consumed at least one drink in the previous 12 months; the corresponding figure for men was 84 percent. Both these proportions were down from 1985, when 77 percent of women had identified themselves as drinkers, compared with 86 percent of men.

49. Women are also less likely than men to use illicit drugs. In 1989, just 4 percent of women reported that they had used cannabis at least once during the previous year, compared with 9 percent of men. Similarly, fewer than 1 percent of women had taken cocaine, whereas 2 percent of men had done so.

50. By contrast, women are more likely than men to take legal drugs such as sleeping pills and tranquillizers. In 1989, close to 5 percent of women, twice the proportion of men, reported having used sleeping pills in the previous month. The trend was similar for tranquillizers, with 4 percent of women and 2 percent of men reporting use.

51. Legal drug use increases at older ages. For instance, among those aged 65 and over, 12 percent of women and 10 percent of men reported having taken sleeping pills sometime in the previous month.

52. Women are less likely than men to be victims of violent crime. In 1987, there were 77 violent criminal incidents per 1,000 women aged 15 and over, compared with 90 incidents per 1,000 adult men.

53. Separated and divorced women are especially vulnerable to violent attack. In 1987, there were 265 violent crimes for every 1,000 separated or divorced women, the highest rate for any marital group, male or female.

54. Accidents[1] are less prevalent among women than among men. In 1987, 15 percent of women aged 15 and over were involved in accidents, compared with 22 percent of men. Among the elderly, however, women were more likely than men to have had some type of accident: 9 percent versus 5 percent.

II. Education

(*a*) Educational attainment

55. While the level of educational attainment of Canadians increased during the 1980s, women are still somewhat less likely than men to be university graduates. By 1989, 10 percent of women aged 15 and over had earned a degree, up from 7 percent in 1981. Degree-holders accounted for 14 percent of adult men in 1989, compared with 11 percent in 1981.

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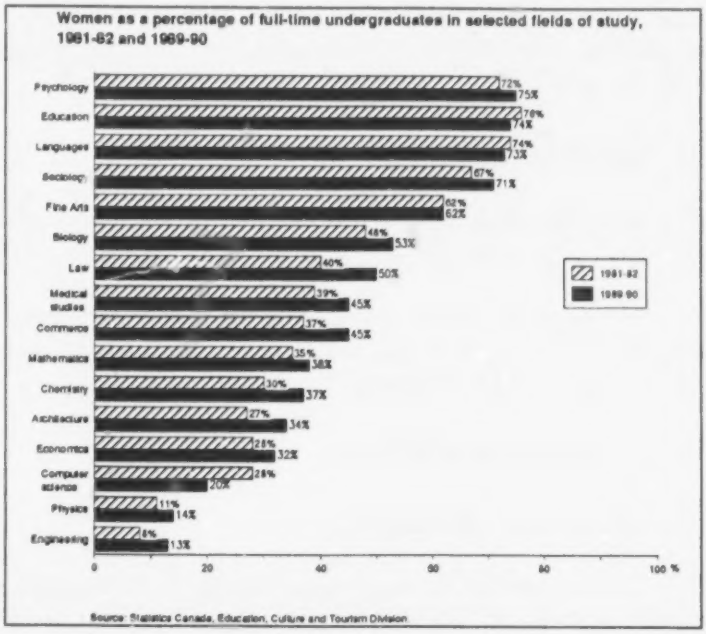
[1] An event that interrupted the victim's normal activities for at least half a day and/or caused expenses of at least $200.00.

56. A higher proportion of women than men have earned certificates or diplomas from postsecondary institutions such as community colleges. In 1989, 15 percent of women were graduates of these institutions, compared with 12 percent of men. Both figures were up from 1981 when 11 percent of women and 9 percent of men held such credentials.

(*b*) Postsecondary enrolment

57. The increase in the proportion of women with university degrees reflects the fac .hat women now make up the majority of undergraduate students. In 1989-90, 52 percent of all full-time undergraduates were women, up from 47 percent in 1981-82. This occurred because during the 1980s, the number of women enrolled full-time at university grew faster than the number of men. From 1981-82 to 1989-90, female undergraduate enrolment rose 42 percent, compared with a 15 percent rise in the number of male undergraduates.

58. Women's representation in graduate programs also increased sharply, although they remain a minority of full-time graduate students. Between 1981-82 and 1989-90, the number of female graduate students rose 45 percent, compared with a 22 percent increase for men. By 1989-90, women accounted for 41 percent of all graduate students, up from 37 percent in 1981-82.



59. The majority of part-time university students are women. From 1981-82 to 1989-90, part-time female enrolment rose 30 percent among undergraduates and 50 percent at the graduate level. Meanwhile, the number of men studying part-time increased 8 percent at the undergraduate level and stayed the same in graduate studies. Consequently, by 1989-90, women made up 64 percent of part-time undergraduates, compared with 60 percent in 1981-82. As well, at the graduate level, 51 percent of part-time students were women in 1989-90, up from 41 percent in 1981-82.

60. At both the undergraduate and graduate levels, women are more likely than men to enrol in programs such as education, the humanities, and social sciences. By contrast, they are generally less likely than men to be in fields such as engineering, the physical sciences, mathematics, architecture, economics, and computer science.

61. Throughout the 1980s, women outnumbered men in community colleges. Women accounted for 55 percent of full-time community college students in 1988-89, up from 53 percent in 1981-82.

62. Women attending community college are much more likely than men to enrol in health sciences (particularly nursing) and in social and educational services programs, while their representation in engineering and applied sciences, natural sciences, and primary industry programs is relatively low.

(*c*) Literacy

63. Although the majority of Canadian women can read well enough to deal with everyday requirements, a substantial proportion have literacy problems. In 1989, while 63 percent of women aged 16-69 could meet most reading demands, the skills of 15 percent were too limited to allow them to cope with the type of written material encountered in day-to-day life. Another 23 percent of women could carry out simple reading tasks in familiar contexts with clearly laid out material, but could not deal with more complex reading matter. This distribution is roughly the same as that for men.

64. Women in older age groups and women born outside Canada are the most likely to have literacy problems. In 1989, 36 percent of women aged 55-69 had limited reading skills, compared with 15 percent of women aged 35-54 and 6 percent of those aged 16-24. At the same time, 32 percent of immigrant women had limited reading abilities in English and French, whereas this was the case for only 11 percent of women born in Canada. Again, these distributions are similar to those for men.

(*d*) Computer literacy

65. In 1988, close to half (46 percent) of all women reported that they knew how to use a computer. This was slightly lower than the proportion of men (48 percent).

66. The tasks for which women and men use computers, however, differ. Women are slightly more likely than men to do word processing and data entry, whereas men are more likely to analyze data and do programming.

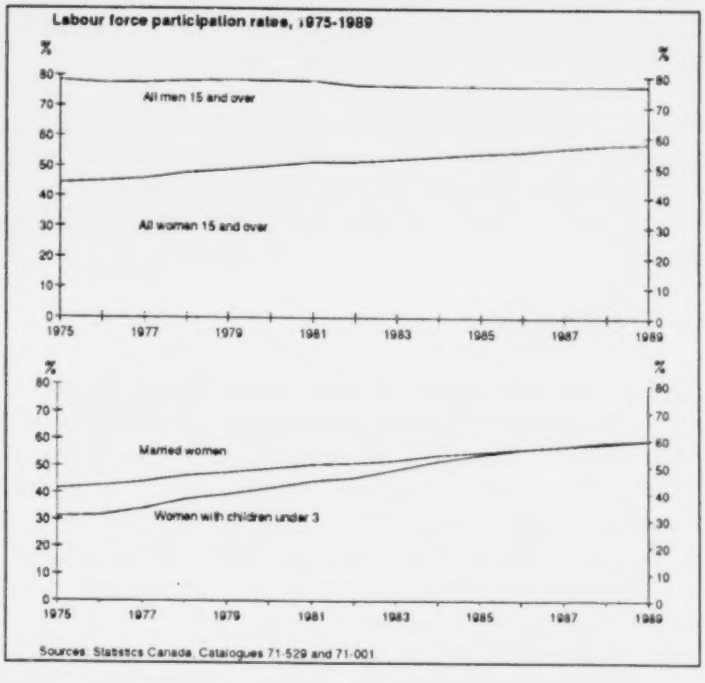
III. Economic characteristics

(*a*) Labour force participation

67. The proportion of women in the labour force continues to rise. In 1989, 58 percent of women were in the labour force, up from 52 percent in 1981. By contrast, men's labour force participation rate declined from 78 percent in 1981 to 77 percent in 1983 and remained at that level through 1989. As a result, women made up 44 percent of the total labour force in 1989, compared with 41 percent in 1981.

68. Increases in labour force participation have been particularly pronounced among women aged 25-54. From 1981 to 1989, the percentage of 25-44-year-old women in the labour force rose from 65 percent to 77 percent, while the figure for those aged 45-54 went from 56 percent to 68 percent. Despite these increases, participation rates of women in these age ranges remain well below those of their male contemporaries, more than 90 percent of whom were in the labour force in 1989.

69. Labour force participation rates of women aged 15-24 and 55-64 also increased in the 1980s, and while these changes were less dramatic than those for women in their prime working years, they were greater than those for comparable men. The percentage of 15-24-year-old women in the labour force rose from 63 percent to 67 percent between 1981 and 1989, whereas the figure for men increased only from 72 percent to 73 percent. In the same period, the participation rate of women aged 55-64 went up slightly, whereas that for men dropped 9 percentage points. Still, in 1989, about twice the proportion of men (66 percent) as women (34 percent) aged 55-64 were in the labour force.



70. Labour force participation rates of women with children have also increased sharply. In 1989, for example, 62 percent of women with pre-school-aged children were in the labour force, compared with 47 percent in 1981. Over the same period, the participation rate of mothers with school-aged children rose from 61 percent to 75 percent.

71. The rise in labour force participation by mothers has been accompanied by increasing demands for child care. In 1990, there were 321,000 licensed day care centre spaces and family day care spaces. This was almost three times the amount available in 1980 (109,000). Even so, just 18 percent of pre-school-age children with mothers working outside the home were in licensed day care spaces. The vast majority of children in need of day care were looked after either by baby-sitters or relatives.

72. Women still bear the primary burden of family and home care, even when they are employed outside the home. In 1986, working women averaged 3.1 hours a day on domestic and child care duties. This was more than double the 1.5 hours that employed men devoted to such activities. Women who identified their primary activity as keeping house spent 6.0 hours per day on these tasks.

(*b*) Industry

73. Part of the increase in women's labour force participation reflects shifts in the distribution of employment from goods-producing to service industries. During the 1980s, almost all growth in the economy occurred in the service sector, where women constitute the majority of workers. In fact, the increase in the number of women in the service sector accounted for two-thirds of all labour force growth between 1981 and 1989.

74. In 1989, 53 percent of service sector workers were women, up from 50 percent in 1981. Overall, 83 percent of working women were employed in the service sector, compared with 58 percent of male labour force participants.

75. Women continue to make up a minority of goods-producing workers, although their share of these jobs has also increased. In 1989, 24 percent of workers in this sector were women, up from 22 percent in 1981. In fact, the total number of women in goods-producing industries rose around 7 percent between 1981 and 1989, whereas the number of men actually declined about 1 percent.

(*c*) Occupation

76. Increases in women's labour force participation over the last decade have been accompanied by several shifts in the types of jobs they hold. Despite these changes, a large majority of female workers are still concentrated in occupations in which women have traditionally been employed. In 1989, 72 percent of employed women worked in clerical jobs, service positions, sales, nursing and related health occupations, or teaching. By contrast, just 29 percent of employed men worked in these occupations. Since the early 1980s, however, there has been a downturn in the proportion of women holding these jobs. In 1982, for example, 77 percent of all working women were in one of these occupational groups.[2]

77. Clerical jobs constitute, by far, the largest single occupational category for women. In 1989, 31 percent of all working women were in clerical positions, compared with just 6 percent of employed men. The share of female employment in clerical occupations, though, was down from 34 percent in 1982. Nonetheless, in 1989, over 80 percent of clerical workers were women, a slight increase over 79 percent in 1982.

78. There are also relatively large shares of women in service jobs, sales, nursing and related health occupations, and teaching. In 1989, 17 percent of female workers were in service positions; 10 percent were in sales; 9 percent were in nursing; and 6 percent were teachers. This distribution is similar to the pattern in the early 1980s. As with clerical occupations, these fields have relatively large female components. In 1989, women made up 85 percent of people employed in nursing and related health occupations, 66 percent of teachers, 57 percent of service personnel, and 46 percent of salespeople. These proportions were all above 1982 levels.

79. During the last decade, women's employment in managerial and administrative positions grew dramatically. Between 1982 and 1989, the number of female managers and administrators

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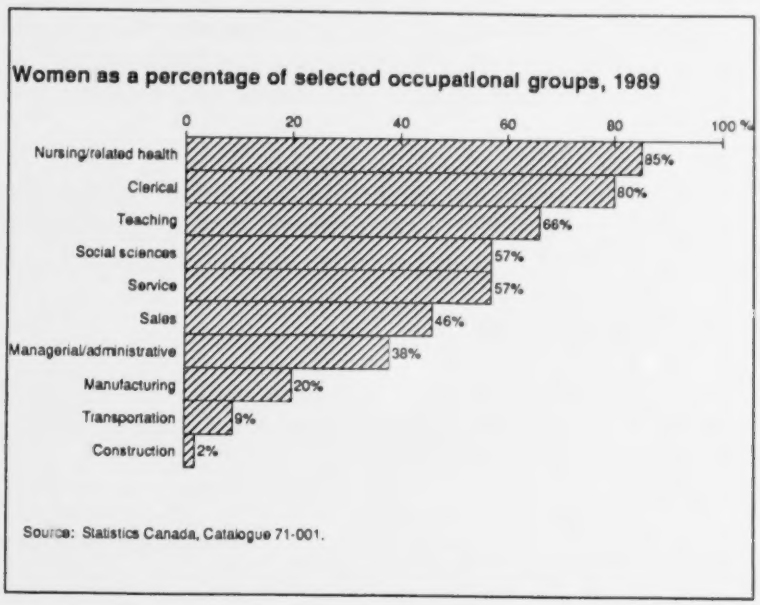
[2] The way occupation data are classified by the Labour Force Survey was changed in 1984. This had a noticeable statistical impact on several occupation groups, and therefore, 1982 and 1989 data are not always strictly comparable.

more than doubled.[3] Because of this increase, in 1989, the managerial and administrative category was the third largest occupational group for women, accounting for 11 percent of all female workers; in 1982, it had represented 6 percent of working women and ranked fifth. At the end of the decade, women filled 38 percent of these positions, up from 29 percent in 1982.

80. Women's participation in several other professional occupations also increased. For example, between 1982 and 1989, the number of women in social science professions, excluding university teaching, rose 52 percent. In fact, women made up 57 percent of all people in these fields in 1989 whereas the 1982 figure had been 48 percent. In the same period, the number of women employed as health professionals such as doctors more than doubled, so that by 1989, 33 percent of people in these professions were women, compared with 18 percent in 1982. On the other hand, women still accounted for only 19 percent of those in natural sciences, engineering, and mathematics in 1989 although this was up from 15 percent in 1982.



81. Women continue to be significantly under-represented in what have traditionally been male-dominated blue collar jobs. In 1989, women made up around 20 percent of people employed in primary occupations and in manufacturing jobs such as processing, machining, and product fabricating. As well, there was little change in this pattern during the decade. In both transportation and construction, however, women did make some gains. Still, by 1989, just 9 percent of people in transportation and only 2 percent of those in construction were women.

(*d*) Self-employment

82. Women are less likely than men to be self-employed. In 1989, 9 percent of all female workers, compared with 17 percent of male workers, ran their own businesses.

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[3] Changes in the managerial and administrative group should be interpreted with caution. Refinement of the occupational classification by the Labour Force Survey in 1984 had a pronounced effect on employment figures in this category. As much as 40% of the increase in the proportion of women in this group may be attributable to new occupational definitions. But even without this artificial boost, there was still considerable growth in women's employment in this category.

83. Nonetheless, women's share of this sector has risen over the last decade. In 1989, 29 percent of all self-employed people were women, up from 24 percent in 1981. In fact, women accounted for almost half (45 percent) of all growth in self-employment between 1985 and 1989.

84. A small number of women are unpaid family workers. In 1989, the 53,000 women in this category represented about 1 percent of all working women. That year, they made up 80 percent of all unpaid family workers.

85. Women's employment in unpaid family work, however, has been falling. In 1981, more than 100,000 women, about twice the number in 1989, had held such jobs.

(*e*) Part-time employment

86. Women are far more likely than men to work part-time. In 1989, 25 percent of all employed women had part-time jobs, compared with just 8 percent of men. The proportion of women working part-time, however, has fallen slightly since the mid-1980s. In 1985, for example, 26 percent of employed women held part-time jobs.

87. Most women who work part-time do so by choice. In 1989, 39 percent reported they did not want full-time jobs; another 23 percent were going to school; and 14 percent cited personal or family responsibilities as the reason they worked part-time. Still, over 300,000 women, 22 percent of those working part-time, did so because they could not find full-time employment.

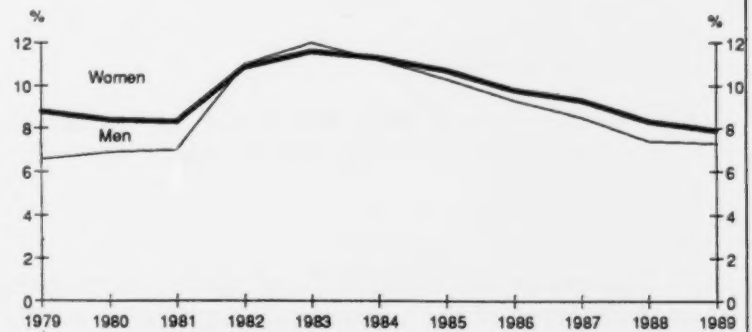
(*f*) Unemployment

88. Unemployment rates have been higher for women than for men since the end of the recession of the early 1980s. In 1989, for instance, 7.9 percent of women were unemployed, while the rate for men was 7.3 percent.

89. Women tend to be unemployed for shorter periods than men. In 1989, unemployed women spent an average of 16.6 weeks without work, compared with 19.0 weeks for men.

90. Unemployment levels vary among women and men at different ages. For both sexes, unemployment is highest among 15-24-year-olds, although the rate for men in this age range exceeds that for women. In 1989, 12.4 percent of men aged 15-24 were unemployed, compared with 10.1 percent of women. By contrast,

Unemployment rates of women and men, 1979-1989



Source: Statistics Canada, Catalogues 71-529 and 71-001.

women aged 25 and over are more likely than men to be unemployed. In 1989, 7.9 percent of women aged 25-44 were unemployed, compared with 6.6 percent of men. For those aged 45-64, the figures were 5.9 percent for women and 5.4 percent for men.

91. Unemployment is considerably higher among female lone parents than among married women with children. In 1989, 14.3 percent of female lone parents with at least one child under age 16 were unemployed, compared with 8.3 percent of married women with children.

92. Regardless of the presence of a spouse, unemployment is most prevalent among women with pre-school-aged children. For example, in 1989, unemployment rates of married women were: 10.8 percent for those with children younger than age 3; 8.7 percent for those whose youngest child was aged 3-5; and 7.1 percent for those with no pre-school-aged children, but at least one child aged 6-15. For women with no spouse at home, 25.2 percent of those with children younger than age 3 and 16.6 percent of those with children aged 3-5 were unemployed; the figure for those whose youngest child was aged 6-15 was 11.7 percent.

(*g*) Unionization

93. Women are less likely than men to be union members. In 1988, 30 percent of female workers, compared with 39 percent of their male counterparts, were members of unions. For women, unionization rates generally increased until 1983 and have remained relatively stable since then, whereas there has been a long-term downturn in the percentage of men who are unionized.

(*h*) Pension coverage

94. Women are generally less likely than men to be covered by either public or private pensions. Because eligibility for Canada or Québec Pension Plans (CPP/QPP) is tied to employment, a smaller proportion of women than men participate in these programs. In the mid-1980s, for example, around 60 percent of women aged 18-64, compared with more than 85 percent of men, contributed to these plans. However, while the share of women in CPP/QPP programs has risen from around 55 percent in the late 1970s, the figure for men has fallen from over 90 percent.

95. Because CPP/QPP benefits depend on factors such as length of time worked and size of contributions, women receive fewer benefits than men. In 1986, the average CPP/QPP benefit paid to women was only about 60 percent of that received by men.

96. Women are also less likely than men to participate in private pension plans. In 1988, 31 percent of women in the labour force participated in such plans, compared with 42 percent of men.

97. Women's lower participation in private pension plans is related to their concentration in both part-time work and in industries where pension coverage is less extensive than in industries where men predominate.

(*i*) Maternity leave

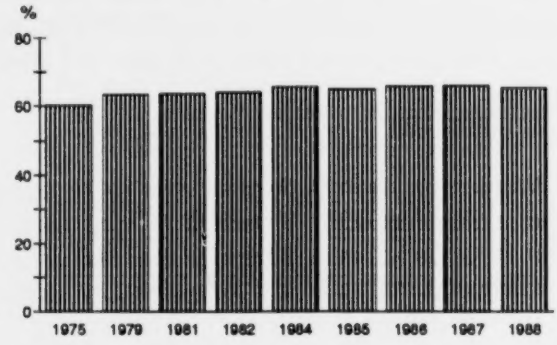
98. Despite the overall decline in the fertility rate during the 1980s, the incidence of maternity absences from work generally increased over this period. In 1987, there were 4.0 pregnancy-related absences for every 100 women aged 15-49 who were paid workers at some time during the year, up from 3.1 in 1980. The 1987 figure, however, was down slightly from 4.2 in 1985.

99. The proportion of compensated maternity absences also increased during the 1980s. In 1987, 92 percent of maternity leaves were compensated, compared with 77 percent in 1980.

(*j*) Earnings and income

100. Women's share of total income has risen over the last decade and a half. In 1989, women's income accounted for 36 percent of all income, up from 32 percent in 1982 and 26 percent in 1975.

Women's earnings as a percentage of men's,* 1975-1988

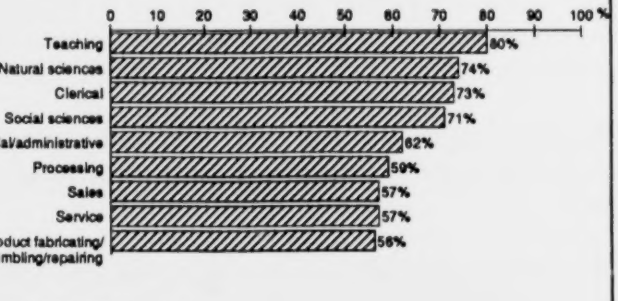


*Includes only full-time full-year workers.

Source: Statistics Canada Catalogue 13-217.

101. Almost all the increase in women's share of total income occurred because more women are working. There has, in fact, been no reduction in the wage gap between women and men since the mid-1980s. In 1988, the earnings of full-time female workers were 65 percent those of men working full-time. While this figure was up from 60 percent in 1975, it was actually slightly lower than that in 1984.

Women's earnings as a percentage of men's, by ocupation,* 1988



* Includes only full-time full-year workers.

Source: Statistics Canada, Catalogue 13-217.

102. The earnings gap between women and men is smaller for those with higher levels of education. Still, in 1988, the average earnings of female university graduates working full-time all year were only 72 percent those of comparable male graduates. In comparison, the figure was 66 percent for women with a postsecondary certificate or diploma, 62 percent for those who had not gone beyond high school, and 57 percent for women with less than Grade 9.

103. The discrepancy between the earnings of women and men also tends to be smaller in certain occupations, particularly the professions. For example, the earnings of women working full-time

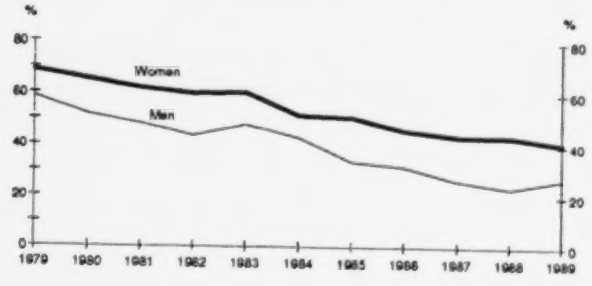
all year were 80 percent those of men in teaching, 74 percent in natural science occupations, and 71 percent in social science positions. On the other hand, female managers and administrators had earnings that were only 62 percent those of comparable men.

104. The earnings of women in clerical jobs, at 73 percent those of men, were also comparatively high. However, this was largely attributable to the relatively low earnings of men in these positions. In contrast, women employed in both service and sales occupations had earnings that were only 57 percent those of comparable men, while the figure was 56 percent in product fabricating.

(*k*) Low income

105. Lone-parent families headed by women are among the most vulnerable to economic hardship. In 1989, 39 percent of all female-headed lone-parent families had incomes below official low-income lines. While this was down from 48 percent in 1985, the proportion of these families living on low incomes was still far greater than the figure for all husband-wife families with children (7 percent).

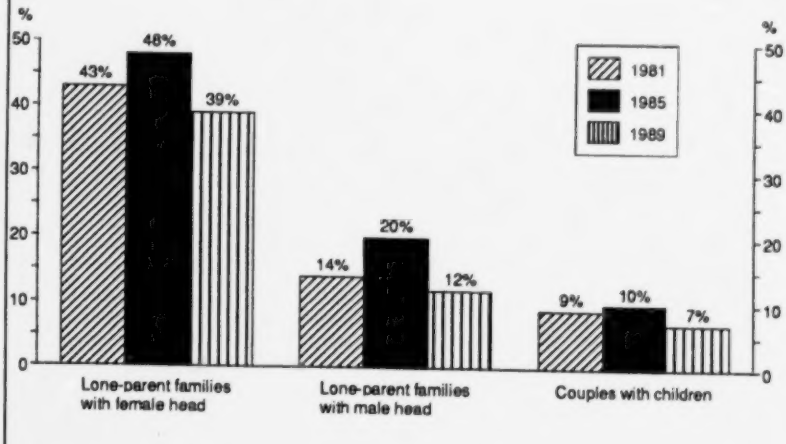
Percentage of unattached women and men aged 65 and over with low income, 1979-1989



Source: Statistics Canada, Catalogue 13-207.

106. The incidence of low income has also fallen among elderly unattached women, although the percentage of these women living below the low-income cut-offs is still higher than that of other socio-economic groups. In 1989, 41 percent of women aged 65 and over who lived alone had low incomes. This was a decline from 52 percent in 1985 and 66 percent in 1980.

Percentage of families with low income, by type, 1981, 1985 and 1989



Source: Statistica Canada, Catalogue 13-207.

107. Low-income situations may be reflected in a variety of ways. For instance, many female-headed lone-parent families have serious housing affordability problems. In 1986, 59 percent of these women who were renters paid more than 30 percent of their income on shelter costs, compared with 22 percent of married couple families who were renting. Housing affordability was a less common problem among homeowners, although the gap remained. In 1986, 27 percent of female lone parents who owned their homes paid more than 30 percent of their income on shelter costs, compared with 11 percent of homeowning married-couple families.

IV. Public life

108. Data on the participation of women in public life are not collected systematically. As for Canada's second report, for the present report partial data were gathered in co-operation with provincial and territorial governments. They are reproduced in the tables that follow which deal with the representation of women on elected public bodies (Table 1), in the judiciary (Table 2) and in senior government positions (Table 3).

109. Although these data are not complete enough to permit in-depth analysis, they nevertheless show that significant progress has been made in many areas.

Table 1: Representation of Women on Elected Public Bodies

Jurisdiction	Legislature			Municipal Councils (Mayors and Councillors)			School Boards		
	1980	1985	1990	1980	1985	1990	1980	1985	1990
Canada:									
- House of Commons	14/282	27/282	40/295						
	5.0%	9.6%	13.6%	N/A	N/A	N/A	N/A	N/A	N/A
-Senate	10/98	11/101	15/111						
	10.2%	10.9%	13.5%	N/A	N/A	N/A	N/A	N/A	N/A
Alberta	7.6%	7.6%	15.8%	16.2%	17.8%	19.0%	-	34.0%	39.4%
British Columbia	-	10.5%	a 13.2%	-	b 17.0%	a 16.8%	-	42.0%	50.4%
Manitoba	-	8.7%	15.8%	-	8.7%	8.9%	-	31.5%	40.4%
New Brunswick	6.8%	5.2%	12.1%	7.4%	15.5%	16.0%	24.8%	34.2%	35.7%
Newfoundland	-	2.0%	3.8%	-	-	20.9%	-	-	-
Nova Scotia	2.0%	6.0%	5.7%	-	14.6%	15.5%	-	39.2%	37.8%
Ontario	4.8%	7.2%	20.0%	-	c 6.4%	19.0%	-	25.0%	38.8%
Prince Edward Island	-	d 9.4%	21.9%	-	d 13.2%	19.8%	-	d 26.6%	37.3%
Quebec	i 6.5%	14.7%	k 18.4%	8.1%e 2.3%f	12.9%g 5.3%h	14.3%m 5.6%n	i 27.7%	j 35.4%	l 41.6%
Saskatchewan	-	7.8%	8.1%	-	-	-	-	-	30.5%
Northwest Territories	8.3%	8.3%	-	-	16.3%	-	-	41.5%	-
Yukon	-	18.7%	25.0%	-	33.3%	33.3%	-	56.2%	64.0%

LEGEND: N/A not applicable
- data not available

a 1989
b mayors and treasurers only
c heads of council only
d 1986
e councillors, 1981
f mayors, 1981
g councillors
h mayors
i 1981
j 1984
k 1989
l 1987
m 1989 (councillors)
n 1989 (mayors)

Table 2: Representation of Women in the Judiciary, 1990

	Federal Appointments (Superior Courts)			Provincial/Territorial Appointments (Lower Courts) a		
Jurisdiction	Total No. In Office Men and Women	Number of Women	Women as % of Total	Total No. In Office Men and Women	Number of Women	Women as % of Total
Canada						
Supreme Court	9	2	22.2	N/A	N/A	N/A
Federal Court	24	2	8.3	N/A	N/A	N/A
Tax Court	18	2	11.1	N/A	N/A	N/A
Alberta	84	9	10.7	119	10	8.4
British Columbia	124	11	8.9	129	15	11.6
Manitoba	35	5	14.3	34	4	11.8
New Brunswick	41	2	4.9	27	3	11.1
Newfoundland	28	2	7.1	27	1	3.7
Nova Scotia	32	3	9.4	45	4	8.9
Ontario	247	22	8.9	243	18	7.4
Prince Edward Island	7	1	14.3	3	0	0.0
Quebec b	153	8	5.2	275	19	6.9
Saskatchewan	43	5	11.6	50	1	2.0
Northwest Territories	-	-	-	-	-	-
Yukon	1	0	0	31	14	45.0
Total	846	74	8.7	983	89	9.0

N/A not applicable
- data not available

a data are not uniform. Some may include categories of judges not included in others, such as justices of the peace (Yukon) and by-law and traffic adjudicators (British Columbia).

b 1989

Table 3: Women in Senior Government Positions

	Ministers (appointed among elected members)		Deputy and Associate Deputy Ministers (government appointments)		Assistant Deputy Ministers or Equivalent (civil service appointments)	
Jurisdiction	Women/Total		Women/Total		Women/Total	
	1985	1990	1985	1990	1985	1990
Canada	6/39 (15.4%)	7/38 (18.4%)	7/52 (13.5%)	10/53 (18.9%)	12/293 (4.1%)	36/345 (10.4%)
Alberta	2/28 (7.1%)	3/27 (11.1%)	-	2/27 (7.4%)	16/308 (5.2%)	20/302 (6.6%)
British Columbia	1/20 (5.0%)	2/16 a (12.5%)	2/26 (7.7%)	-	1/62 (1.6%)	-
Manitoba	2/18 (11.1%)	3/18 (16.7%)	2/25 (8.0%)	2/25 (8.0%)	4/37 (10.8%)	11/61 (18.0%)
New Brunswick	2/20 (10.0%)	4/24 (16.7%)	2/27 (7.4%)	5/29 (17.2%)	1/28 (3.6%)	2/27 (7.4%)
Newfoundland	1/19 (5.3%)	1/15 (6.7%)	0/- (0.0%)	3/14 (21.4%)	4/ - (-)	7/34 (20.6%)
Nova Scotia	1/22 (4.5%)	0/21 (0%)	1/- (-)	3/23 (13.0%)	-	0/- (0.0%)
Ontario	2/23 (8.7%)	11/26 (42.3%)	5/36 (13.9%)	6/43 (14.0%)	2/60 (3.3%)	20/69 (29.0%)
Prince Edward Island	1/10 (10.0%)	2/11 (18.2%)	0/12 (0%)	1/13 (7.7%)	0/- (0.0%)	-
Quebec	4/28 (14.3%)	6/30 a (20.0%)	4/48 (8.3%)	6/54 a (11.1%)	6/86 (7.0%)	10/90 a (11.1%)
Saskatchewan	2/19 (10.5%)	1/18 (5.6%)	2/27 (7.4%)	4/37 (10.8%)	3/36 (8.3%)	2/16 (12.5%)
Northwest Territories	1/8 (12.5%)	-	0/10 (0%)	-	-	-
Yukon	1/5 (20.0%)	1/5 (20.0%)	1/11 (9.1%)	1/9 (11.1%)	-	6/16 (37.5%)

- data not available
a 1989

Selected Bibliography

I. Statistics Canada

11-612 - General Social Survey Analysis Series:

No. 1 - Health and Social Support, 1985
No. 2 - Patterns of Criminal Victimization in Canada
No. 3 - Accidents in Canada
No. 5 - Where Does Time Go?
No. 6 - Work, Education, Computers and Retirement: Challenges for the 1990s

13-207 - Income Distributions by Size in Canada

13-217 - Earnings of Men and Women

71-001 - The Labour Force

71-529 - Labour Force Annual Averages, 1981-1988

74-401 - Pension Plans in Canada

75-001 - Perspectives on Labour and Income, Summer 1989, Joanne Moloney, "On Maternity Leave."

81-229 - Education in Canada

82-003 - Health Reports

82-602 - The Health and Activity Limitation Survey, Highlights: Disabled Persons in Canada

85-209 - Homicide in Canada

91-204 - Postcensal Estimates of Families

91-210 - Postcensal Annual Estimates of Population by Marital Status, Age, Sex and Components of Growth

93-106 - 1986 Census of Canada, The Nation, Families: Part I

93-109 - 1986 Census of Canada, The Nation, Ethnicity, Immigration and Citizenship

II. Other Sources

Health and Welfare Canada

National Alcohol and Other Drugs Survey (1989), Highlights Report, Health Promotion Directorate, Health Services and Promotion Branch

Status of Daycare in Canada, 1989, National Child Care Information Centre, Child Care Programs Division

PART II: REVIEW OF JURISPRUDENCE

Introduction

110. International human rights conventions that Canada has ratified do not automatically become part of the law of Canada so as to enable individuals to go to court when they are breached. Nevertheless, cases may arise regarding domestic law that are relevant to the implementation of the present Convention. This is particularly the case since the enactment of the *Canadian Charter of Rights and Freedoms* as Part 1 of the *Constitution Act, 1982*.

111. The Charter enables individuals to challenge laws or practices of federal, provincial and territorial governments on the ground that they violate rights guaranteed by the Charter. One very relevant provision in the present context is section 15 of the Charter, which guarantees the right to equality in the law on a number of grounds including sex. Section 15 applies to the full range of governmental action, and thus serves to ensure that there is equitable treatment of men and women in all areas of life. Other provisions of the Charter of particular relevance in the present context are section 7, which guarantees the right to life, liberty and security of the person, and section 28, which provides that Charter rights must be guaranteed equally to male and female persons.

112. Furthermore, each jurisdiction in Canada has enacted anti-discrimination legislation (or, as it is called in Canada, human rights legislation), which applies in the private as well as the public sector. It prohibits discrimination on a number of grounds, including sex and, in many cases, pregnancy or family/marital status, in employment matters and in the provision of goods, services and facilities. Complaints pursuant to human rights legislation are adjudicated in the first instance by human rights tribunals.

113. Cases may also arise independently of the Charter or human rights legislation which are relevant to the implementation of the present Convention. Recent cases of these various types -- that is, relating to the Charter, anti-discrimination legislation or other laws which have a significant bearing on women -- are summarized below.

Article 1 (definition of discrimination)

(i) *Canadian Charter of Rights and Freedoms*

General

114. International human rights law has been taken into account in a number of cases defining equality rights for the purposes of section 15 of the *Canadian Charter of Rights and Freedoms*. For example, in *Schachter v. the Queen*, [1988] 3 F.C. 515 (appeal dismissed, [1990] 2 F.C. 129; leave to appeal granted, S.C.C., Nov. 15, 1990), the Federal Court relied on the preamble and article 5 of the present Convention to conclude that "Canadian society is committed to equalizing the role of parents in the care of children as much as possible, for the benefit of the family in

general, and in particular for the achievement of greater equality in the workplace for women". The Court then went on to conclude that unemployment insurance benefits should be available to natural fathers who stayed home with newborn children as well as to natural mothers and adoptive parents.

115. Similarly, the Supreme Court of Canada has indicated that Canada's international human rights obligations are a relevant consideration in determining whether a limit on a Charter right is a reasonable one within the meaning of section 1 (*Slaight Communications Inc. v. Davidson*, [1989] 1 S.C.R. 1038). Thus, it can be expected that the obligations imposed by the present Convention will be taken into account by the courts in determining the ambit of all of the rights and freedoms guaranteed by the Charter, including the equality rights guaranteed by section 15.

116. Indeed, in *R. v. Keegstra*, (S.C.C., December 13, 1990) the Supreme Court of Canada relied on the "high concern regarding discrimination" manifested in international human rights law in concluding that the limitation on freedom of expression posed by the prohibition of the wilful promotion of hatred in the *Criminal Code* was an acceptable one in terms of section 1 of the Charter.

Marital status

117. The Supreme Court of Canada has indicated that the list of prohibited grounds of discrimination in section 15 of the Charter is not exhaustive, and that other distinctions based on analogous grounds are subject to review pursuant to section 15. In particular, in *Law Society of British Columbia v. Andrews*, [1989] 1 S.C.R. 143, the Supreme Court indicated that if distinctions are based on personal characteristics, especially those associated with stereotyping, historical disadvantage or prejudice, then section 15 will come into play. The Supreme Court of Canada has not, however, as yet considered any section 15 cases involving distinctions based on marital, family or parental status.

Adverse effect discrimination

118. In *Law Society of British Columbia v. Andrews*, the Supreme Court of Canada stated that section 15 should be interpreted to preclude adverse effect discrimination (that is, where a neutral rule has an adverse effect on an individual or group) as well as intentional or direct discrimination. This serves to ensure that, in accordance with article 1 of the present Convention, exclusions or restrictions which have the **effect** or purpose of impairing women's equality rights are unacceptable in Canadian law.

(ii) Human rights legislation

119. As indicated in Canada's Second Report, at paragraph 79, the Supreme Court of Canada has interpreted human rights legislation to preclude adverse effect discrimination as well as intentional or direct discrimination. In *Central Alberta Dairy Pool v. Alberta Human Rights Commission*, (September 13, 1990), the Supreme Court of Canada went on to hold that where a complaint involves adverse effect discrimination, there is a duty on the part of the employer to make a

reasonable accommodation towards the employee adversely affected, except where this would cause the employer undue hardship.

120. In *A.G. v. Druken et al.*, (1988) 9 C.H.R.R. D/5339, the Federal Court of Appeal held that the *Canadian Human Rights Act* had primacy over other federal laws, so that even where discriminatory practices are apparently authorized by such laws they may be challenged pursuant to that act (leave to appeal to the Supreme Court of Canada denied). The Supreme Court of Canada had already reached this same conclusion regarding provincial human rights laws (*Winnipeg School Division No. 1 v. Craton et al.*, [1985] 2 S.C.R. 150).

121. The *Druken* case also held that provisions in the *Unemployment Insurance Act* which precluded persons from collecting unemployment insurance benefits where they have worked for their spouse or a corporation controlled by their spouse discriminated on the basis of marital status, and were therefore contrary to the *Canadian Human Rights Act.*

Article 2(g) (penal provisions)

122. In *R. V. Lavallée*, [1990] 1 S.C.R. 852, the Supreme Court of Canada upheld the acquittal of a battered woman who had shot and killed her common-law husband. The Court accepted her defence based on the expert evidence of a psychiatrist who testified that the accused suffered from "battered woman syndrome". Wilson J. emphasized that the expert's evidence about the psychological effect of battering on wives and common-law partners was both relevant and necessary to assist the jury in determining whether the accused had a "reasonable apprehension of death" when she acted. The testimony also assisted the jury in dispelling some of the myths about battered women which may adversely affect the battered woman's claim to have acted in self-defence.

123. Section 7 of the *Canadian Charter of Rights and Freedoms* guarantees the right to life, liberty and security of the persons and the right not to be deprived thereof except in accordance with the principles of fundamental justice. This provision was relied upon in *Morgentaler v. the Queen*, [1988] 1 S.C.R. 30, to strike down the therapeutic abortion provisions of the *Criminal Code*. In the view of the Supreme Court, the delays in obtaining abortions, and also the inequality in access to them, that resulted from the operation of these provisions involved a breach of section 7.

124. In *R. v. Hess*, (1990) 59 C.C.C. (3d) 161, the Supreme Court of Canada held that a provision in the *Criminal Code* rendering it an offence for a male to have sexual intercourse with a female under the age of 14 years of age did not involve discrimination on the basis of sex contrary to section 15 of the Charter. The Court noted that although it might also be unacceptable for a woman to have sex with a male under the age of 14 years, or for a man to have sex with a male under 14, nevertheless these were offenses involving different biological acts, which it might be appropriate for the legislature to deal with in a different manner.

Article 4 (special temporary measures)

125. Article 15(2) of the *Canadian Charter of Rights and Freedoms* provides that programs with the purpose of ameliorating the conditions of disadvantaged groups are not to be considered in

violation of the equality requirements of that section. Thus, in *Weatherall et al. v. A.G. Canada*, (1987) 59 C.R. (3d) 247 (F.C.T.D.) (appeal allowed in part but not on this point), the Federal Court held that strip searching of male penitentiary inmates by female guards was justifiable pursuant to section 15(2) in emergency circumstances, although such searches were not permitted *mutatis mutandis*, because it was necessary if women were to be employed as prison guards.

126. Furthermore, one of the considerations of the Federal Court of Appeal in *R. v. Conway*, [1991] 1 F.C. 85, in finding that unannounced patrols by female guards in a male penitentiary were not an unreasonable search and seizure contrary to section 8 of the Charter was that providing women with this employment opportunity "was directed to the improvement of the lot of women".

Article 5 (stereotyping)

127. Canadian courts are becoming increasingly aware of the need to avoid the stereotyping of women. For example, in *G. v. L.*, (1988) 41 C.R.R. 378, the Saskatchewan Court of Appeal held that a requirement that a single woman's evidence be corroborated in a paternity suit rests on the stereotype that any woman who is an unmarried mother will be less than a truthful witness, and therefore violated section 15 of the Charter. (See also paragraphs 114 and 121).

128. The treatment by Canadian courts of the issue of family violence has also contributed to the elimination of social conduct based on negative attitudes toward women. For example, in *R. v. Moses*, (1988) 87 A.R. 239, the Alberta Court of Appeal indicated that in its view the need to discourage violence against women was an important consideration in sentencing persons who had committed this offence. Thus the court stated at p. 240:

> Domestic violence is all too prevalent in our society and in particular I refer to violence against women. The message must go out from this court that we will not treat lightly an offence of this nature. The scenario here, as in many such cases, was that of a smaller and weaker female being abused by an obviously stronger and heavier male.

129. In *Action Travail des Femmes v. Canadian National Railways et al.*, [1987] 1 S.C.R. 1114, the Supreme Court of Canada held that orders of affirmative action programs which take into account the effects of past discrimination are permissible under the *Canadian Human Rights Act*.

Article 6 (prostitution)

130. In *Reference re sections 193 and 195.1(1)(c) of the Criminal Code*, [1990] 1 S.C.R. 1123, the Supreme Court of Canada held that freedom of expression as guaranteed by section 2(*b*) of the *Canadian Charter of Rights and Freedoms* extends to a prostitute's public communications with a prospective client. However, it held that the restrictions of the *Criminal Code* on such communications were a reasonable limit within the terms of section 1 of the Charter, and therefore did not result in a Charter violation.

Article 11 (employment)

131. In *Robichaud v. the Queen*, [1987] 2 S.C.R. 84, the Supreme Court of Canada held that the *Canadian Human Rights Act* contemplates the imposition of liability on employers for all acts of their employees in the course of their employment, so that they are vicariously liable for sexual harassment practised by their employees.

132. In *Brooks v. Canada Safeway Ltd.*, [1989] 1 S.C.R. 1219, the Supreme Court of Canada held that a group insurance plan which denied pregnant women any leave benefits during the 17 week period around their pregnancy, although other employees were entitled to benefits for loss of pay due to accident or sickness, involved discrimination on the basis of sex contrary to the Manitoba *Human Rights Act*. The Supreme Court stated that pregnancy, although it could not properly be characterized as a sickness or an accident, was a valid health related reason for absence from the workplace. Therefore, the Court concluded that the plan discriminated on the basis of pregnancy when it provided benefits in the one set of circumstances but not the other. Furthermore, it held that discrimination on the basis of pregnancy was tantamount to discrimination on the basis of sex.

133. In *Janzen v. Platy Enterprises Ltd.*, [1989] 4 W.W.R. 39, the Supreme Court of Canada held that the general prohibition of sex discrimination in the Manitoba *Human Rights Act* includes a prohibition against sexual harassment.

134. In *Gauthier et al. v. Canadian Armed Forces*, (1989) 10 C.H.R.R. D/6014, a Human Rights Tribunal appointed under the *Canadian Human Rights Act* concluded that restrictions in the employment of women in the Canadian Armed Forces were discriminatory. The Tribunal ordered the full integration of women into the Canadian Armed Forces within 10 years, except for service on submarines.

135. In *Morissette v. Canadian Employment and Immigration Commission*, (1987) 8 C.H.R.R. D/3699, a Canadian Human Rights Tribunal held that it was discriminatory for the Commission to deny the complainant the usual job-hunting services because she was pregnant.

136. In *Cashin v. Canadian Broadcasting Corporation*, (1988) 9 C.H.R.R. D/5343, the Federal Court of Appeal held that it was discriminatory to refuse to renew the contract of a woman journalist because of the political and high profile activities of her spouse, whose name she had adopted. The respondent's apprehension that the public would perceive the complainant biased in her reporting due to her husband's position was a wholly subjective standard and therefore not a *bona fide* occupational requirement.

Article 12 (health)

137. See paragraph 123 above.

Article 16 (family and marriage)

138. See paragraphs 114 and 117 above.

139. In *Klachefsky v. Brown*, (1988) 12 R.F.L. 280, the Manitoba Court of Appeal held that the fact that, if custody of two children were awarded to their mother, they would be placed in daycare, was not a sufficient consideration to award custody to their father. The court noted at p. 283:

> Daycare and home care arrangements of this kind are a fact of life which many children and parents face, and there was no evidence before the judge that the children would suffer the least harm from being exposed to a few hours when they are neither at school nor with their mother. Whether an alternative caregiver is paid or unpaid cannot be decisive of what is in the best interests of the children.

PART III: MEASURES ADOPTED BY THE GOVERNMENT OF CANADA AND BY THE GOVERNMENTS OF THE PROVINCES AND TERRITORIES

A. GOVERNMENT OF CANADA

Article 2(*b*): Elimination of discrimination

140. The *Canadian Human Rights Act* prohibits discrimination in employment and in the provision of goods, services, facilities and accommodation on the basis of, amongst other grounds, sex. The Act applies only to the federally-regulated sector, which includes approximately 11 percent of all employees in Canada. An overall review of the Act is currently under way. The review is examining a wide range of matters, many of which are directly relevant to women.

Article 2(*c*): Protection of women's legal rights

141. Through the Court Challenges Program, the Government provides financial support to groups and individuals to challenge laws perceived as contrary to the Canadian Constitution in light of, among other things, the guarantees of sexual equality (sections 15 and 28) of the *Canadian Charter of Rights and Freedoms*. In May 1990, the Court Challenges Program was renewed with funding of $13.75 million over five years. The Program is administered by the Human Rights Research and Education Centre of the University of Ottawa. An independent panel decides which cases should receive financial assistance.

Article 2(*f*): Legislative changes

142. As discussed in the second report, the 1985 amendments to the *Indian Act* gave back Indian status to women who had lost it under previous discriminatory provisions of the Act. Women who had lost Indian status and band membership as a result of the provisions in the former section 12(1)(*b*) are entitled to regain status and membership upon application. First-generation descendants are also entitled to status and can apply to the bands for membership. A comprehensive evaluation of the impacts of the legislation, conducted in consultation with national aboriginal organizations, was submitted to Parliament in December 1990. It stated that as a result of the amendments there has been a 19 percent increase in the status Indian population in Canada. Women represent 58 percent of all those who gained status and 77 percent of those whose status was restored.

143. The *Canadian Multiculturalism Act* of 1988 addresses issues of equality and equitable participation in Canadian society which are of vital importance to visible and ethnocultural minority women. The Act commits the Government to preserving and enhancing the multicultural heritage of Canadians while working to achieve the equality of all Canadians in the economic, social, cultural and political life of Canada. Programs of the Multiculturalism Sector of the

Department of Multiculturalism and Citizenship address these issues with special attention to the needs of women.

144. In January 1988, Bill C-15 (S.C. 1987 c. 24) was proclaimed. It brought into effect a number of amendments to the *Criminal Code* and the *Canada Evidence Act* with, among others, amendments to protect children from sexual abuse. The Department of Justice is currently monitoring the legislation for parliamentary review in 1992.

Article 2(*g*): National penal provisions

145. A minimum security institution with accommodation for up to 11 female inmates was opened in Ontario in March 1990. It is the first facility of its kind for federally-incarcerated female inmates, providing them with the opportunity to participate in programs suited to their needs in an environment consistent with their security requirements.

146. *Creating Choices*, the report of the Task Force on Federally Sentenced Women, a joint initiative of the Government and non-governmental organizations, including the Canadian Association of Elizabeth Fry Societies and aboriginal women's groups, was released in April 1990. In response, the Solicitor General of Canada announced on September 26, 1990 that the Prison for Women in Kingston will be replaced with five regional facilities, including a *Healing Lodge* for aboriginal inmates. This initiative, which will be implemented over a four-year period at a cost of approximately $50 million, will enable women to serve their sentences closer to their families and home communities.

Article 3: Measures to ensure the advancement of women

147. In September 1988, the Minister Responsible for the Status of Women established a working group to develop a Plan of Action for Aboriginal Women and Economic Development. The working group consisted of the three national aboriginal women's organizations (the Native Women's Association of Canada, the Pauktiutit Inuit Women's Association of Canada and the Indian and Inuit Nurses of Canada) and Status of Women Canada.

148. The Plan of Action, now completed, provides recommendations in areas such as data collection for use in program and policy development, the facilitation of education and training, and mechanisms to increase aboriginal women's awareness of and access to economic development programs. The Plan is part of the Canadian Aboriginal Economic Development Strategy, announced in June 1989, a key goal of which is to provide long-term employment and business opportunities to Canada's aboriginal citizens. A co-ordinator has been hired with the mandate to establish an office and implement the Plan.

Article 4.1: Temporary special measures

(i) Employers under federal jurisdiction

149. The *Employment Equity Act*, described in paragraph 88 of Canada's second report, provides for comprehensive reviews of its provisions, operation and impact by a parliamentary committee.

The first review will take place in 1991, after the Act has been in force for five years. Subsequent reviews are to be held every three years. Consultations are presently taking place with employers, employer and labour organizations, designated group representatives, associations and government officials, on issues related to the *Employment Equity Act* in preparation for the parliamentary review.

150. Under the Federal Contractors Program, between January 1987 and December 1990, two companies which had signed certificates of commitment to the Program were found to be in non-compliance with these commitments. As a result, the companies were not allowed to bid on further federal government contracts. Both companies subsequently submitted plans that met the requirements of the Program, and the sanctions were removed.

151. In May 1989, the Employment Equity Branch of Employment and Immigration Canada expanded its operations to include the Designated Group Services Directorate. One of its prime responsibilities is to develop linkages with national employer associations to promote hiring and retention of members of the designated groups, i.e. women, persons with disabilities, members of visible minority groups and aboriginal people.

152. A Designated Group policy is being developed by Employment and Immigration Canada. Its main objective is to facilitate the effective functioning of the labour market by eliminating the barriers preventing the full, productive contribution of the designated groups.

(ii) Public Service

153. In September 1988, the federal government appointed a task force to identify barriers to the advancement of women in the Public Service. In April 1990, the task force tabled a four-volume report which concluded that the corporate culture in the Public Service fosters attitudes which impede women's progress. It recommended that employment of women be treated as a managerial objective which should be attained through changes in attitudes as well as changes to the system itself. Most federal departments are taking steps to implement the task force's recommendations.

154. On December 12, 1990, the President of the Treasury Board tabled a White Paper in the House of Commons: *Public Service 2000: The Renewal of the Public Service of Canada.* This represents the first comprehensive policy statement in more than 20 years on the future of the federal Public Service. It indicates that the Public Service of the 1990s and beyond must create a working environment that attracts and retains women and minority groups. This is largely a matter of changing attitudes, motivating managers to pursue the objectives of employment equity -- and holding them accountable -- and changing management practices.

155. A special study of personnel employed in Canadian museums revealed an over-representation of women in lower salaried positions. The study pointed to the need to develop a special strategy to address staffing and training concerns in the museums.

156. Under the Public Service Employment Equity Policy, all government departments are required to work toward specific numerical targets for representation of women and other groups,

set for a three-year period. In January 1991, Treasury Board approved a revised approach to setting targets. The ultimate objective is still a representative Public Service, but the focus of the new strategy will be on recruitment, promotions and retention -- areas over which managers can exercise their accountability. In 1985, there were 308 women in the management category, representing 7.3 percent of the total category. In 1990, the figure had risen to 15.3 percent, slightly over the 1991 target of 15.2 percent.

157. As part of a series of measures to increase the hiring of women in non-traditional occupations in the federal Public Service, "OPTION: The Non-Traditional Occupations Program for Women" was developed to provide on-the-job training, work experience and career advancement opportunities. In 1987, 250 person-years and $8.8 million were allocated to this program.

158. In January 1989, the Public Service Commission introduced the *Employment Equity Programs Exclusion Approval Order*. This order facilitates the appointment of people from outside the Public Service to participate in the Commission's special measures programs, such as the OPTION program.

159. In exceptional cases, the Public Service Commission also initiates exclusion approval orders to provide for the direct employment of women where the normal staffing process would not result in their appointment in sufficient numbers. For example, in the Department of Transport certain firefighter positions may be excluded for the purpose of appointing women under the Firefighters Training Program.

160. The Department of Transport has also conducted national campaigns aimed at recruiting female applicants to train as air traffic controllers and flight service specialists.

Article 5(*a*): Elimination of stereotypes

(i) Actions relating to the broadcasting media

161. In January 1988, the Canadian Radio-television and Telecommunications Commission (CRTC) issued guidelines for developing industry-administered standards as a means of placing greater reliance on self-regulation and supervision of stereotyping in the broadcast industry. Following this initiative, the CRTC endorsed a proposal from the Canadian Association of Broadcasters (CAB) to establish a Canadian Broadcast Standards Council. The Council's purpose is to develop and amend industry standards on a number of societal issues, including sex-role portrayal. In October 1990, the CRTC published CAB's revised industry guidelines in the *Sex-Role Portrayal Code for Television and Radio Programming* which is a condition of licence imposed on private broadcasters.

162. In December 1990, the CRTC released a study (1988-1990) that monitored sex-role stereotyping in programs and advertising broadcast by radio and television licensees. The research replicated and updated an earlier study of the Canadian broadcast media published in January 1986.

(ii) Other measures

163. In an effort to deal with particular difficulties related to the elimination of sexual stereotyping which arise in the French language, the guide *Féminisation : Lignes directrices pour la rédaction de textes* was published in 1988 for use by all federal government departments.

164. The Public Service Commission is making every effort to ensure that its teaching material equitably represents men and women in all occupational groups and levels. Additionally, employment equity modules have been integrated into several staff training courses.

165. As part of the revision of the *Canada Labour Code*, gender non-specific language is being used. This revision will be completed by 1995. In addition, as other acts and regulations are amended, sexist terminology is being eliminated.

166. On May 4, 1987, the Minister of Justice introduced Bill C-54 to replace the current obscenity laws with new provisions prohibiting all pornography involving children and violent or degrading material. The Bill would also place tighter controls on other forms of sexually explicit materials and add sex to the list of identifiable grounds against which hate propaganda is prohibited. Bill C-54 ceased to exist when Parliament prorogued on October 1, 1988. The Minister of Justice has indicated her intention to address the subject of pornography and, in particular, legislative proposals dealing with pornography involving children.

Article 6: Prostitution

167. Bill C-49, *An Act to Amend the Criminal Code (Prostitution)*, came into force in December 1985, to respond to the nuisance created by street prostitution. Its main purpose was to make criminal three public activities when they are undertaken for the purpose of offering or purchasing sexual services: (a) stopping a motor vehicle; (b) impeding pedestrian or vehicular traffic; and (c) communicating for the purpose of prostitution in a public place. This was done in section 195.1 (now section 213) of the *Criminal Code*.

168. In October 1990, after a three-year implementation period, the Standing Committee on Justice and the Solicitor General issued a report based on a parliamentary review of the soliciting provisions. The Committee's first recommendation called for the development of programs to provide funds to community-based agencies for prostitutes wishing to leave the street solicitation trade. The Committee also recommended that the *Identification of Criminals Act* be amended to allow for the fingerprinting and photographing of those charged under section 213 of the *Criminal Code*, whether as prostitutes or as customers. Finally, the Committee recommended that this section be amended to provide sentencing judges with the discretion to prohibit persons convicted of street solicitation involving a motor vehicle from driving a motor vehicle for a period not to exceed three months, in addition to any other penalty imposed.

169. The Government will be submitting a response to the report in March 1991, after consultations with interested parties such as provincial and territorial governments, municipal governments and non-governmental organizations.

170. *An Act to amend the Criminal Code and the Canada Evidence Act* (Bill C-15), which came into effect on January 1, 1988, has increased the penalties for clients, pimps and procurers of juvenile prostitutes.

Article 7: Women in politics and public life

(i) Appointments

171. As of November 6, 1990, 31.2 percent of appointments to federal boards, agencies and commissions were women. As of October 1990, 15 out of 111 appointed senators were women. Between September 1984 and October 1990, the number of women serving at the deputy minister or equivalent level in the federal government tripled from 7 to 22.

(ii) Judiciary

172. In January 1987, there were 721 federally-appointed judges holding active office, together with 82 supernumerary judges, for a total of 803. Of the total, 51 were women (6.3 percent). As of January 1, 1991, there were 745 federally-appointed judges and 113 supernumerary judges, a total of 858. Of these, 84 were women (9.8 percent).

(iii) Armed Forces

173. The number of women serving in the Canadian Forces has increased from 7,500 in 1987 to 8,900 in 1990, or from 9.5 percent to 10.4 percent. Women represent over 15 percent of current trainees.

174. In October 1987, all restrictions on the employment of women in flying duties were removed in the Canadian Forces.

175. In February 1989, as a result of a Human Rights Tribunal decision, all restrictions on the enrolment of women in the Canadian Forces were removed with the exception of employment in submarines. Restrictions on the units within which women may serve will be removed gradually over the next 10 years as the number of women in land combat and naval operations occupations increases.

176. In February 1990, an Advisory Board on Women in the Canadian Forces was formed to review the impact of departmental policies on the ability of Canadian women to serve in all occupations.

177. On October 9, 1990, the Department of National Defence established a Consultative Committee on Social Change to advise on how demographic and other changes can impact on personnel policies.

178. In 1987, a notable achievement was the appointment of the first woman in Canada to the rank of Brigadier-General. In total, two female brigadier-generals have been appointed in the Regular Forces and one commodore in the Naval Reserves.

(iv) Royal Canadian Mounted Police

179. In an effort to encourage women to enter the Royal Canadian Mounted Police (RCMP), the RCMP National Recruiting Team makes presentations to women's groups, educational institutions and career fairs. Women now constitute 8.1 percent of the regular members of the RCMP. Of the 696 recruits expected to be hired in 1990-1991, 153 (or 22 percent) will be women.

180. The RCMP has increased promotional opportunities for women by implementing a special program under the provisions of (now) section 16(1) of the *Canadian Human Rights Act* to promote six to eight female constables to the Corporal rank between 1988 and 1991 at the RCMP training academy in Regina, Saskatchewan. There are currently 43 women corporals in various positions across the Force, 10 of whom are instructors.

(v) Non-governmental organizations

181. Secretary of State's Women's Program is the primary federal source of financial and technical support to women's groups and other voluntary organizations working to promote equality for women. The Program was renewed for five years, effective April 1, 1988, with priority to provide support for disadvantaged women such as disabled, immigrant and visible minority women, rural and isolated women, and native women.

182. The Secretary of State's Aboriginal Women's Program is the primary federal source of financial and technical support to aboriginal women's groups across Canada. This program was initiated in 1971 to enable aboriginal women to address the social, cultural and economic issues in their communities and empower them to develop solutions appropriate to their community needs. Funds are used to provide program funding to two national representative aboriginal women's organizations and funding of approximately 100 projects annually at the provincial, regional and local levels.

183. The Promotion of Official Languages Program of the Department of the Secretary of State offers financial and technical support to women's organizations for the furtherance of community development, education and training among minority official language groups.

184. In April 1988, the Office of Privatization and Regulatory Affairs, in co-operation with Status of Women Canada, sponsored a 2.5 day workshop designed to improve communications and consultative interaction between federal government policy makers and women's groups. The workshop brought together prominent leaders from 15 women's groups, deputy ministers and senior federal department officials. The participants addressed emerging issues and potential policy responses, including time and resource constraints and the government's upcoming policy agenda.

185. Prior to the preparation of Canada's third report on the *Convention on the Elimination of All Forms of Discrimination against Women*, 42 national women's organizations were invited to submit comments related to the federal section of the report. Responses have been received from three organizations and these are being sent with this report for the attention of the members of the Committee on the Elimination of Discrimination against Women.

186. Copies of the Convention, Canada's reports on the Convention and comments made by the Committee are widely distributed to interested groups across Canada.

187. Multiculturalism and Citizenship Canada's Community Support and Participation Program promotes the full and equal participation of all individuals and communities in Canadian life. Women are an important target group. The Program has two parts:

(a) Citizenship and Community Participation supports community-based service organizations which are assisting first-generation Canadians, particularly immigrant women. The program provides support to the National Organization of Immigrant and Visible Minority Women.

(b) Community Support assists ethnocultural or multicultural organizations, including organizations such as the Congress of Black Women of Canada, to help address community needs.

(vi) Voluntary sector

188. The Department of the Secretary of State of Canada commissioned a series of studies based on the results of the National Survey on Volunteer Activity in Canada (1987) that examined volunteerism from specific perspectives such as the socio-demographic profile of Canadian volunteers and the types of voluntary organizations for which they work. The monograph, *Women as Volunteers*, points out that volunteering is used more by women than men as a bridge to paid employment.

(vii) Disabled women

189. The Disabled Persons Secretariat has been continuously involved with the promotion of disabled women and with making this a priority issue. In 1988, the Secretariat held a forum dealing with research on disabled women in order to obtain knowledge on the specific obstacles that prevent disabled women from participating in Canada's social and economic activities to the same extent as other women. In 1989, the Secretariat funded the Dis-Abled Women's Network (DAWN) to carry out the research and publication of four documents that contribute to a better understanding of the specific barriers that disabled women must face in our society. Also, the Disabled Persons Participation Program provides direct funding for projects carried out by disabled women.

(viii) Young women

190. The Department of the Secretary of State's Youth Participation Directorate is responsible for co-ordinating the Commonwealth Youth Program (CYP) which involves young people in the development of their countries. In 1990, the Commonwealth Youth Affairs Council accepted the CYP's major review of its structure and activities and the identification of priority areas for action, one of which is young women and development. Through the Directorate's Open House Canada Program, which promotes young people's involvement in Canadian society, young women between the ages of 14 and 22 are highly represented as exchange and forum participants.

Article 8: Women as international representatives

191. The Government of Canada seeks to promote gender balance on all official Canadian delegations travelling abroad. The Government actively encourages the appointment of Canadian women to senior positions in international organizations. Canada also strongly supports the target of 35 percent women in posts subject to geographic distribution in the UN Secretariat, by 1995, and the sub-goal of 25 percent women at the D-1 level and above, also by 1995.

192. Canadian women have been appointed to the following international positions: Assistant Secretary General, Human and Social Sciences at UNESCO; Director, Information Division, NATO; Under Secretary-General for Public Information, United Nations system; and Director of the United Nations Development Fund for Women (UNIFEM). Of the 491 Canadians in professional jobs in the United Nations system, 24 percent are women.

193. Between 1987 and 1990, women comprised approximately 25 percent of the participants on Canadian delegations to meetings of the Pan American Health Organization (PAHO) and the World Health Organization (WHO).

194. In the past three years, recruitment of female foreign service officers by the Department of External Affairs and International Trade has approached 40 percent (compared with 5 percent prior to 1978), and the retention rate of women is now equal to that of men in this category. The promotion rate of women in the foreign service and management categories is considerably higher than that of men. Currently, 13 of 104 heads of mission are women.

195. In 1990, 28.3 percent of the Canadian International Development Agency's (CIDA) overseas employees were women. Of these: 7.8 percent occupied positions in management; 73.4 percent, in administration; 15.6 percent, in administration support; and 3.1 percent, in science and professional services.

Article 10(*d*): Education grants and scholarships

196. Under the Canada Scholarships Program, 2,500 scholarships worth $2,000 per year are awarded annually to top Canadian students entering first-year studies in the natural sciences, engineering and related disciplines. Scholarships are renewable for up to three additional years, for a maximum of $8,000 over four years. At least half of the scholarships must be awarded to women and a minimum of 10 scholarships are awarded to residents of each province and territory.

197. In November 1990, the National Research Council of Canada announced a $1 million per year program to encourage women to enrol in science courses. The program, which will begin in September 1991, will offer a combination of scholarship and work placement programs for approximately 75 women science and engineering students.

Article 10(*e*): Literacy

198. The National Literacy Secretariat and the National Literacy Program were established in 1988 to undertake joint initiatives with provincial and territorial governments, voluntary organizations, business and labour, aimed at improving literacy. Although the Program is not

specifically targeted to women, a number of literacy initiatives across the country responding to the particular needs and interests of women have been funded. For example, funding has been provided to a non-governmental organization, the Canadian Congress on Learning Opportunities for Women (CCLOW), to study how gender affects women's access to and experience with literacy programs.

Article 11: Employment

199. The Entrepreneurship and Small Business Office in the Department of Industry, Science and Technology administers the National Entrepreneurship Awareness Project, initiated in 1988. The project encourages a shift in attitudes towards self-employment, especially among youth, women, ethnic and cultural groups, native people, employees affected by staff reductions, mid-career individuals, and seniors.

200. The *Canada Labour Standards Regulations* are being amended to prescribe a standard sexual harassment policy. The proposed format is expected to become law by the spring of 1991.

Article 11.1(*c*): Free choice of profession

201. Employment and Immigration Canada is developing a national action plan to promote the employment of women in non-traditional occupations, i.e. occupations in which women represent 33.3 percent or fewer of the workers.

202. Employment and Immigration Canada has provided funding to a national women's organization to investigate the feasibility of developing a national data bank inventory. This inventory would help to provide role models for women who are considering entering a non-traditional occupation. Employment and Immigration Canada has also provided funding to a national construction association to promote an increase in the number of women entering the construction trades. Employment and Immigration Canada is developing a video and other promotional materials to help encourage women to consider a non-traditional field.

203. In 1990, the Minister of Employment and Immigration announced a new option within the Canadian Jobs Strategy called *Language at Work*. This program will allow immigrant women who entered the labour market with insufficient knowledge of one of Canada's official languages to study French or English on the job. The program recognizes that immigrant women may find it particularly difficult to upgrade their language skills when they work full time in addition to having family responsibilities. As well, many immigrant women have taken jobs potentially below their skill capability in occupations which may be threatened by technological change. This program will assist them to become more competitive in the labour market.

204. The Department of National Defence produced the documentary *I Can Do That*. Based on personal testimonies, the film focuses on the experiences of several women in the Canadian Forces to encourage women to seek employment in non-traditional occupations.

Article 11.1(*d*): Equal pay

205. The principle of equal pay for work of equal value is enshrined in section 11 of the *Canadian Human Rights Act*. The Act also provides for the examination of complaints and enforcement mechanisms. In addition, the *Canada Labour Code* empowers Labour Canada to inspect cases of pay discrimination and refer suspected infractions to the Canadian Human Rights Commission. Since 1986, over 750 employers in the federal jurisdiction have been visited and over 72 percent are taking action or have completed the pay equity implementation process. In 1989, inspections began and the first referrals to the Canadian Human Rights Commission were made in 1990.

206. Seven industry-wide pay equity initiatives have been undertaken by employer associations with the support of Labour Canada. Over 350 employers have joined these initiatives which provide a cost-effective means of achieving pay equity.

207. Over 5,000 pay equity information kits have been distributed. As well, a number of training seminars have been provided for organized labour and employer groups.

208. The federal Public Service is one of the major employers covered by the *Canadian Human Rights Act*. As of December 31, 1990, approximately 79,000 public service employees in female-dominated occupational groups had shared $454.3 million in equalization adjustments and back pay. Of these, 73,400 received equal pay adjustments as a result of an award announced by Treasury Board on January 26, 1990. The voluntary award was based on the evaluation results of the Joint Union/Management Committee formed in 1985 which compared work in 62 occupational groups of predominately female and predominately male employees to determine where work of equal value is performed. The equal pay award included back pay to 1985 and on-going adjustments for the following occupations: clerical, secretarial, stenographic, typing, educational support, nursing, library science, home economics, occupational/physical therapy, and hospital services.

Article 11.1(*e*): Pension and social security benefits

209. Minimum standards for federally-regulated private pension plans were amended in the *Pension Benefits Standards Act*, effective 1987. Measures affecting women pension plan members in particular include: the requirement that pension plans pay equal pension benefits to women and men retiring under the same circumstances; the requirement to extend pension plan membership to part-time employees meeting set eligibility conditions; vesting of pension contributions of both employer and employee after two years service; and provisions for pension portability.

210. Amendments to the *Canada Pension Plan*, also effective in 1987, also included measures of particular benefit to women: improved disability benefits; and flexibility of commencement of retirement benefits between the ages of 60 and 70 (with actuarial adjustments).

Article 11.1(*f*): Occupational health and safety

211. The Workplace Hazardous Materials Information System (WHMIS) became law in Canada on October 31, 1988. WHMIS is a national system of legislated information transfers from

suppliers to employers and from employers to workers concerning the hazards posed by controlled products in the workplace and how to avoid such hazards.

212. In June 1988, the Women's Bureau of Labour Canada published an *Annotated Bibliography on Reproductive Health Hazards in the Workplace*. The Bibliography examines Canadian social, medical, economic, scientific and political research since 1980, and reviews legal cases pertaining to reproductive health hazards since 1970. Issues addressed include: hazards of women's work traditionally considered "safe"; protective and anti-discriminatory legislation; hazards associated with video display terminal use; and strategies for achieving a healthy and safe workplace.

213. When ecological studies are carried out by Environment Canada, special attention is paid to susceptible groups. When women, or a sub-group such as pregnant women or those of reproductive age, run a greater risk, environmental effects are studied carefully and results are considered when developing ecological policy.

Article 11 -- 2(*a*) and 2(*b*): Protection from loss of employment or benefits on the basis of maternity

214. Paragraphs 83 and 138 of the second report described Canada's system of maternity and parental leave and benefits. In 1990, a number of changes were made to increase the flexibility and duration of benefits and to reflect the equality provisions of the Canadian Constitution. The current system of maternity and parental benefits available under the unemployment insurance system to claimants who have worked 20 weeks in the previous year is as follows:

(a) 15 weeks of maternity benefits for pregnant women in recognition of the mother's physiological needs during the period surrounding childbirth or pregnancy; these benefits will normally be received in the period surrounding the birth, but where the newborn is hospitalized, the mother can postpone taking some or all of her benefits by the number of weeks of the hospital stay (up to 52 weeks after the birth);

(b) 10 weeks of parental benefits available to either parent in respect of a newborn or an adopted child which can be taken within the first 52 weeks of the child's arrival in the home of the claimant;

- parental benefits may be divided between the parents and may be taken concurrently or consecutively;

- in the case of a newborn child, the father may take parental benefits while the mother takes maternity benefits;

- parental benefits are extended to 15 weeks if the child is six months or older at the time of arrival in the home or the time of placement for the purposes of adoption, and a medical practitioner or placement agency certifies the child suffers from a condition requiring an additional period of care;

(c) a claimant can receive a combined maximum of 30 weeks of maternity, parental and sickness benefits (an increase from the 15 weeks combined total available previously).

Article 11.2(*c*): Child care

215. In December 1987, the federal government announced a new National Strategy on Child Care. Two of the Strategy's three major elements are now in place:

(a) The Child Care Initiatives Fund, costing just under $100 million over seven years, has been in place since April 1988. It is intended to support innovative initiatives to meet child care needs. As of October 1990, 282 projects had been approved for a total allocation of approximately $41.2 million; of these, 184 projects were community-based and 37 were national in scope; 61 were located on Indian reserves.

(b) Tax assistance measures include: a $200 supplement to the refundable child tax credit for pre-school children; an increase in the child care expense deduction from $2,000 to $4,000 for children up to age 6 and those with special needs; and the removal of the limit of $8,000 on allowable deductions per family. Value of these measures over seven years is estimated at $2.3 billion.

216. In view of the federal government's policy of debt reduction, implementation of the third element of this strategy -- measures to accelerate the creation of quality child care spaces -- has been postponed.

217. In addition to the money currently being spent by the federal government on child care, $1 billion is being expended on maternity/parental benefits through the Unemployment Insurance Program. (See article 11 -- 2(*a*) and 2(*b*).)

218. The Women's Bureau, Labour Canada, published a study of child care services in March 1990, *Work Related Child Care in Canada.*

Article 12: Health care

219. A Royal Commission on New Reproductive Technologies was established in 1989 to enquire into and report on current and potential medical and scientific developments related to new reproductive technologies. Of particular concern are the social, ethical, health, research, legal and economic implications of reproductive technologies.

220. A national symposium on "Changing Patterns of Health and Disease in Canadian Women" was held in 1988. The topics discussed included: reproductive health; chronic disease; disability; mental health; research and development priorities; the health care system's response to the needs of women; and the needs of low income, native, assaulted, visible minority women and disabled women.

221. Following the symposium, the Conference of Deputy Ministers of Health established the Federal/Provincial/Territorial Working Group on Women's Health to advise them on women's health matters. The Group completed a conceptual paper entitled *Working Together for Women's Health: A Framework for the Development of Policies and Programs.* The Group is now examining women's mental health.

222. In October 1987, the Seniors Secretariat was created within the Department of Health and Welfare to provide a focal point within the federal government on issues relevant to the quality of life of senior citizens. In 1988, Status of Women Canada and the Seniors Secretariat sponsored a national workshop on "Women in an Aging Society". The workshop addressed the issues of health, the health care system, and economic self-sufficiency. The report has been used by the provinces and territories as a guideline for similar workshops to develop topics for discussion. Alberta, Manitoba and Ontario have since held similar workshops.

223. As part of its National Strategy on AIDS, Canada has prepared the report *Women and AIDS: A Challenge for Canada in the Nineties*. This document outlines current initiatives and the major directions of future education and prevention programs. In December 1990, the Department of Health and Welfare's Advisory Committee on Status of Women's Concerns sponsored a seminar for World AIDS Day entitled "Understanding Women and AIDS".

Article 13(*c*): Recreational activities, sports and cultural life

(i) Fitness

224. In an effort to promote increased participation by girls and women in physical activities, the Women's Program within Fitness Canada released *Guiding Principles on Girls and Women and Physical Activity* in the spring of 1990. The Principles confirm the federal government's objective of ensuring that all girls and women have the encouragement and opportunity to take part in, and benefit from, all aspects of physical activity, as full and equal partners.

225. To assist programmers, leaders and educators who provide physical activity opportunities for girls and women, the Women's Program produced a *Handbook for Physical Activity Programmers.*

226. Between 1987 and 1989, the Women's Program produced the following reports:

(a) *Physical Activity and Women with Disabilities ... A National Survey* provided information on the physical-activity needs of women with disabilities to assist with planning and the provision of resources.

(b) The *Report of the National Task Force on Young Females and Physical Activity* examined issues, identified problems and suggested strategies for improving physical activity opportunities for young women in Canada.

(ii) Sports

227. The Women in Sport Program within Sport Canada has undertaken a number of new initiatives to recruit and train women for professional coaching. Special apprenticeships and cost-shared coaching positions were provided and, through the National Coaching School for Women, a short-term, residential course was offered, aimed at providing accelerated coaching education for women coaches in the Canadian university and college system. Women and Coaching was one of the major themes of the 1990 National Conference on Coaching Strategies and a

recommendation to undertake affirmative action measures in this area was approved by federal-provincial-territorial ministers responsible for sport in 1990.

228. The third national survey of women in sport leadership was released in 1990. The survey showed that, with the exception of the lower paying jobs in national sport organizations, only modest gains have been made since the 1985 survey. Women continue to occupy fewer than 15 percent of head coach positions in Canadian sport and fewer than 30 percent of senior executive positions. To improve this situation, affirmative action strategies for the 1990s are being developed.

229. In an effort to improve opportunities for women to participate in sport at the community level, Sport Canada produced a model program kit called "On the Move" which is being implemented in communities across the country.

230. In conjunction with the 1990 Commonwealth Games, Canada played a lead role in establishing an international Women and Sport Network aimed at strengthening the opportunities for women in sport and physical activity in Commonwealth countries.

(iii) Cultural life

231. The Canadian Studies Funding Programs (Secretary of State) support projects which encourage learning about Canada. Publications funded include *Free Trade and the Future of Women's Work*, by Marjorie Griffen Cohen; and *Margaret Laurence*, by Christl Verduyn. Also funded was the video series *Through Her Eyes: Resources for Women's Studies*, with the Institute of Women's Studies and the Institute of Canadian Studies, Carleton University. These programs (20 half-hours) explore the unique experiences of Canadian women artists, composers, writers, historians, scientists, politicians, and such topics as the law on sexual assault, women and religion and aboriginal rights.

232. The Federal Women's Film Program is an inter-departmental project in collaboration with Studio D of the National Film Board. The Program has produced films on women in agriculture and on issues of concern to immigrant women, elderly women and women in the paid labour force.

Article 14: Rural women

233. In 1987, Agriculture Canada approved a consultation policy which ensures that representatives of farm women's organizations are included in departmental consultations on the same basis as representatives of general farm organizations. The policy is aimed at increasing the participation of farm women in policy and program development. Farm women are also represented in consultations with the Minister of Agriculture, and have recently participated in the task forces established by the department to assist in the review of the national agricultural policy.

234. A Farm Women's Advancement Program was introduced by Agriculture Canada in 1988-89. The Program provides financial assistance to volunteer organizations for projects aimed at improving the status of farm women in the following areas: (a) legal and economic equality; (b) increased participation of farm women in the agriculture sector's decision-making processes;

and (c) greater recognition of the contribution of farm women to the well-being of Canadian agriculture. Currently, there are approximately 130 eligible farm and rural organizations in Canada. The five-year program will provide over $700,000 in assistance to these groups.

235. Efforts are currently under way by the Farm Women's Bureau, Agriculture Canada, to further develop the department's Information Initiative to ensure that farm women are fully knowledgeable on agriculture issues and are provided the tools necessary to facilitate their full and equal participation in the agricultural sector.

236. As a complementary measure to the Farm Women's Advancement Program and the Information Initiative, the Farm Women's Bureau has several research projects under way. This research program is being developed, in close consultation with farm women's leaders and experts in the field, to investigate legal, equality and other farm women's issues.

Article 16: Women and the family

237. The *Family Orders and Agreements Enforcement Assistance Act*, adopted in February 1986, allows for the garnishment of non-wage federal payments, including income tax refunds, to enforce support orders.

238. In 1987, a Family Support Program Project was established within the Canadian Armed Forces. Recognizing the need for spousal participation in decision-making in family and community matters, the Project has developed a policy which promotes a co-ordinated and consistent approach to military family support. In 1989, the Canadian Forces approved a policy which will improve the channels of communication between military commanders and military family associations.

239. The Department of National Defence is studying the possibility of establishing a day care centre in Ottawa; several military bases already have such facilities. As of November 1990, the Department has officially recognized common-law relationships between men and women as equivalent to legal marriages. In December 1990, the Leave Without Pay Policy was broadened to permit service members, under certain conditions, to apply for leave to accompany a military spouse on a posting outside Canada.

240. A multi-departmental initiative on family violence was launched in 1988 under the leadership of Health and Welfare Canada. This $40 million, four-year program included, among other initiatives, funding for up to 500 new emergency shelter units for victims of family violence, increased research, project funding, and law information activities. The projects address prevention, protection and treatment issues.

241. As part of the initiative, the Department of Indian Affairs and Northern Development has allocated funding for short-term community projects to address problems related to family violence and sexual abuse. To date, over 180 projects have been funded, including community workshops and training of community workers to encourage more positive values and attitudes by men, women and children in respect to sexuality and the avoidance of violence.

242. Eighty-one places for battered women have been established for native women on reserves.

243. The federal government has consulted with women's groups, service providers, professional associations, provincial/territorial governments and non-governmental organizations to identify potential areas for action as part of a long-term strategy on family violence to be announced in 1991.

244. The Department of Health and Welfare published a report in June 1990 concerning the long-range direction of federal initiatives regarding child sexual abuse, their implementation and co-ordination. The recommendations are currently being studied by the governmental and non-governmental sectors. Several of the recommendations have been acted upon by the government and others will be addressed in the yet-to-be-announced program.

245. The Royal Canadian Mounted Police (RCMP) has implemented a policy to lay charges in cases of spousal assault. The RCMP is working with its provincial counterparts to study the effect of this "charging policy" on the victims of wife assault and the overall response of the criminal justice system. New policies and protocols to deal with wife assault continue to be developed among the various police services in Canada. In addition, training and sensitization programs regarding family violence are being developed for police officers.

246. In November 1987, Canada's first ministers endorsed a paper outlining strategies for the harmonization of work and family responsibilities. Work is continuing at the federal, provincial and territorial levels toward the further development and implementation of these strategies.

247. The Conference Board of Canada, with financial support from several government departments, produced the study *Canadian Work Environments and Changing Family Structures* which addresses such issues as: the needs of employees who have family responsibilities, such as care of the elderly, disabled, children and other dependents; conflicts between these needs and current employment policies, practices and benefits; and employer/employee attitudes towards the policies, practices and benefits.

248. In March and April 1990, Labour Canada and Status of Women Canada sponsored a series of seminars on the importance of reconciling job and family responsibilities. The seminars brought together key policy makers from both the public and private sectors to discuss the issues and seek solutions to the problems.

249. Amendments have been made to pension legislation to recognize the interests of divorced and separated spouses in pension assets acquired during marriage:

(a) amendment of the *Canada Pension Plan* (CPP) to strengthen existing provisions to allow more divorced spouses to benefit (elimination of three-year time limit on application; removal of requirement for formal application; clarification of the effect of property waivers in spousal agreements on CPP credit-splitting; and the extension of credit-splitting to separated and common-law couples);

(b) new provisions in the *Pension Benefits Standards Act*, effective 1987, to allow credit-splitting upon marriage breakdown in accordance with a court order or spousal agreement.

250. Legislative amendments have also increased the rights of widows (and widowers) to benefits derived from a spouse's pension contributions:

(a) The *Canada Pension Plan* was amended to allow the continuation of survivor benefits on remarriage.

(b) The *Pension Benefits Standards Act* provides for a mandatory joint and survivor pension, with at least 60 percent of the pension continuing to the survivor. These benefits would also continue on remarriage of the survivor.

(c) Legislation applying to federal public servants, the Armed Forces and the RCMP was amended to provide for the continuation of survivor benefits on remarriage. These amendments also eliminated provisions for the reduction of benefits to surviving spouses 20 years or more older than the deceased contributor.

B. GOVERNMENTS OF THE PROVINCES[4]

1. NEWFOUNDLAND

251. This submission will update to December 1990 the information contained in Canada's earlier reports under the Convention.

Article 2

252. *The Human Rights Code, 1988*, which replaces *The Newfoundland Human Rights Code*, offers protection to women against: discrimination in admission to public places and services (s. 7), in the rental of dwelling units (s. 8) and in employment (s. 10); harassment on the basis of sex in the rental of dwelling units (s. 9) and in an establishment (s. 13); sexual solicitation by a person in a position to confer or deny a benefit or advancement where the person knows or ought reasonably to know that it is unwelcome (s. 14); and discrimination in pay where they are performing the same or similar work as men (s. 12). Discrimination on the basis of pregnancy is considered to be discrimination on the basis of sex. The following table demonstrates the extent of complaints related to sex as a prohibited ground.

1989	Total (New in 1989 & Carried from 1988)	Based on sex	Withdrawn or Dismissed
In the context of Employment	71	18	5
Harassment in an Establishment	16	11	3

253. A new procedure established under *The Human Rights Code, 1988* provides for reference of a complaint that could not be settled to a Board of Inquiry. The Commission is a party to the proceedings and will represent the complainant unless he or she chooses to have independent counsel.

254. *The Human Rights Code, 1988*, s. 20, authorizes the Commission to approve special programs for women which are designed to prevent, reduce or eliminate disadvantages based on or related to their gender.

[4] Geographical order, from east to west.

Article 3

255. Over the past few years, a number of initiatives related to the right of women to live in a safe, violence-free environment have been developed. Highlights include: (a) adoption of an aggressive policy to lay and proceed with charges in situations of domestic violence; (b) provision of funding for shelters for abused women in five locations across the province; (c) development of an interdisciplinary training program on Understanding Wife Abuse which is being delivered to government employees by the Public Service Commission; (d) establishment of an Interdepartmental Committee on Wife Battering, which co-ordinates government's policy and programs on prevention of violence and provision of services to victims; and (e) publication by the Women's Policy Office of public education materials on prevention of violence against women, including a community education manual on understanding wife abuse and a brochure on dating violence. In 1988, a three-month public awareness campaign was launched. This campaign included the distribution of posters and brochures and radio and television advertising.

256. With respect to school curriculum, communications skills, self-esteem, healthy coping skills, human sexuality, parenting, and values education are included in Health, Family Life, Family Studies, Home Economics and Career Education. Male and female socialization and sex role stereotyping are also considered in program development and delivery.

Article 4

257. As a result of the Task Force on Employment Equity for Women, referred to in the Second Report, paragraph 324, the Government established an Accelerated Career Development Program for Women. Evaluation of this program, which concluded in 1987, revealed benefits in terms of increased self-confidence and self-awareness by participants and the development of an informal network among the women who participated. Also as a result of the evaluation, a similar type of program has been established for personnel in the secretarial, clerical and administrative fields where approximately 80 percent of the employees are women.

258. In 1988, a review of recruitment and selection standards was undertaken by the Public Service Commission to ensure that no barriers to the advancement of women were operating in the selection process. In the same year, the Commission reviewed the entrance requirements for all management and supervisory courses to ensure the removal of any artificial barriers to women. Over the last four years, the rate of participation of women in management and supervisory training has gradually increased from 28 percent in 1986 to 41 percent in 1990.

259. With respect to increased representation of women on boards, commissions and agencies, referred to in the Second Report, paragraph 324, the Women's Policy Office reports an increase from 23 percent in 1986 to 28 percent in 1990.

260. In 1988, the Province, with the approval of the Human Rights Commission, implemented an employment program specifically designed to encourage employers to hire women in non-traditional occupations. The program, Occupational Integration for Women, provided a subsidy of 50 percent of the starting salary for an eligible position to a maximum of $8,000 for a period of 52 weeks. Eighty-five positions were approved.

261. Following a consultant's evaluation of the program in 1989, the Government, in 1990, approved funds for the implementation of another employment program to assist women in obtaining employment in occupations in which they are currently under-represented. The program, Job Bridges, also encourages employers to hire women in non-traditional occupations through the provision of a subsidy of 60 percent of the starting salary for an eligible position to a maximum of $12,000 for a 52 week period. Women can use the program as a tool in their job search since, by telling employers about the wage subsidy, they increase their chances of obtaining employment in a non-traditional occupation. An effort is made to ensure a supportive work environment by having the employer provide details about the business' operation and by monitoring approved projects.

Article 10

262. The Department of Education has had a gender equity policy in place since 1982. The Department employs a full-time consultant to promote the policy and to provide leadership and consultative services throughout the Department and to educational agencies and school boards. The policy, which has been widely circulated, covers such issues as equal access to programs, fair treatment, the provision of gender-bias-free curriculum materials and career guidance services. It also covers equal opportunity in the teaching profession. A list of selected career materials directed especially to young women to encourage them to explore a wide range of career options including "non-traditional" jobs is available.

263. Other activities have included: the sponsorship of a symposium on women in science and mathematics (August 1989); collaboration with the Newfoundland Chapter of Women in Science and Engineering (WISE) in the WISE CHOICES projects, namely, a conference, poster campaign and a video on role modelling.

264. In order to improve and encourage access by women to educational programs, the following have been implemented: (a) advisory committees on women's issues have been established at all community colleges and institutes of technology; (b) publications encouraging women to enter a wider variety of occupations have been produced and distributed by the Women's Policy Office; (c) data collection has been improved to ensure that data on the basis of gender is available for research and evaluation of education programs; and (d) a program on role modelling and mentoring is being developed by the Department of Employment and Labour Relations. Core funding has been provided to Women Interested in Successful Employment (W.I.S.E.), a career exploration and personal development program for women, established by a non-profit women's organization. The program provides women with opportunities to explore a wide variety of career choices and upgrade their job-search skills. In addition, in 1990, pilot projects were carried out in 2 post-secondary educational institutions: (a) a pre-technology bridging program for women to enhance their background in preparation for taking courses; and (b) the hiring of a women's advocate to analyze women's needs in the community college context.

265. Three school boards have adopted a policy on employment equity. One board is participating in a pilot project and is actively addressing such issues as fair hiring practices, recruitment and promotion, and is developing an internship program for capable and interested women.

Article 11(1)(*d*)

266. In 1988, the Government signed an agreement with five public sector unions to implement pay equity for women in the public service, through the collective bargaining process. A steering committee has been established to oversee implementation of the process. The first phase, involving the Health Care Sector and Newfoundland and Labrador Hydro, is now under way. The first pay equity adjustments are expected to be made in 1991. The wage adjustments, which will be completed over a 5 year period, will be made by bringing the salaries of employees in female-dominated job classes up to the applicable male wage policy line. One percent per year of the applicable payroll for up to four years will be used to make the wage adjustments, with any remaining pay equity wage adjustment to be made in the fifth year.

Article 11(1)(*e*)

267. In 1988, the Government implemented a pension plan for part-time employees, the majority of whom are women.

Article 11(1)(*f*)

268. In 1988, the Government implemented a policy on personal harassment, including sexual harassment, whereby all employees in the public service are entitled to pursue their duties in a work environment free from harassment by the employer, an agent of the employer, or other employees.

Article 11(2)

269. Highlights of a strategy developed to assist workers to integrate work and family responsibilities include: (a) a review of labour standards legislation with respect to maternity, parental and adoption leave; (b) a seminar for employers on work and family responsibilities, in the context of human resource planning; (c) the development of guidelines for governmental departments to ensure that new policies and programs and/or the revision of existing ones are sensitive to the need of all Newfoundland workers to balance work and family responsibilities; and (d) improvements in the provision of child care services. With respect to child care, income ceilings have been raised to allow more low income families to qualify for child care subsidies.

Article 14

270. The Newfoundland Centre for Distance Career Counselling is a partnership venture funded jointly by the provincial and federal governments and housed in the Department of Educational Psychology at Memorial University of Newfoundland. The Centre's mandate is the development of programs for the provision of career counselling and development services to youth in rural areas of Newfoundland and Labrador. Alternative counselling techniques making use of distance education technology are being investigated. Projects directed specifically to women include: a distance career education program to encourage the occupational integration of women in non-traditional areas, and a distance career counselling intervention program for single teenage mothers.

271. In addition, project funding is available to the provincial Farm Women's Association to assist in their activities. For example, in 1990, funding was provided to enable representatives to attend national conferences on Agriculture in the Classroom and Health and Safety on the Farm.

Article 16

272. Pursuant to *The Children's Law Act*, S.N. 1988, c. 61, all distinctions between children born inside or outside marriage have been removed. Section 3 of the Act states that, for all purposes of the law of the Province, a person is the child of his or her natural parents. (Adopting parents are deemed to be the child's natural parents.) Sections 26 and 56, respectively, specify that the parents of a child are equally entitled to custody of the child and to be appointed by a court as guardian of the property of their child, in accordance with the best interests of the child.

2. PRINCE EDWARD ISLAND

Introduction

273. This report was prepared pursuant to the guidelines provided in the annex to the report of the Committee on the Elimination of Discrimination against Women, produced in 1988.

Legal and other measures adopted since the second report

274. The Government of Prince Edward Island (P.E.I.) passed a *Pay Equity Act* in 1988. The purpose of this act was to redress systemic gender discrimination and adjust wages paid for work performed by employees in female-dominated classes. The scope of this act is limited to the public sector including schools, colleges, universities, hospitals, and nursing homes, in addition to a variety of other government-funded agencies. To date, the action of this legislation has resulted in pay increases to 1,743 persons within the provincial civil service, most of whom are female. The increases in salary to these individuals over a five year period will average $3,120 per year. The remainder of the public sector are in the analysis stage of the pay equity process, and wage adjustments are expected for that portion of the public sector by January 1, 1992. The legislation includes a commitment to maintain equity between male- and female-dominated employment groups after this initial adjustment.

275. Although not only applicable to women, the *Maintenance Enforcement Act* passed in 1988 is a major step towards the correction of an economic disadvantage faced largely by women. This act provides for a Director of Maintenance Enforcement who will have the power to enforce legally-binding maintenance orders on behalf of parties who have been left without the economic support ordered by a court. Combined with reciprocal arrangements with other provinces and some states in the United States, this act has gone a long way toward ensuring the financial support of individuals who have been identified by the courts as deserving of such support. The vast majority of such individuals are women and their children.

276. The P.E.I. Human Rights Commission has adopted as a policy that discrimination on the basis of sex includes discrimination on the basis of pregnancy and sexual harassment. This decision was taken pursuant to the Supreme Court of Canada's decision in *Brooks v. Canada Safeway Ltd*, [1989] 1 S.C.R. 1219 and *Janzen v. Platy Enterprises Ltd*, [1989] 4 W.W.R. 39 (S.C.C.).

Actual progress made to promote and ensure the elimination of discrimination against women

277. In the P.E.I. portion of Canada's second report, Prince Edward Island reported on the participation rates for women in various positions in public life on Prince Edward Island. The following is an update of that table.

278. There has been an increase in the participation rate by women in public office in this province in all categories, with the exception of chairpersons of school boards. Although progress is slow in some categories, there is movement in the right direction.

WOMEN IN VARIOUS POSITIONS IN PUBLIC LIFE ON P.E.I. - 1990

Position Title	Total Number of Positions	Total Number of Women in Positions	Percentage of Total
Member of Legislature	32	7	21.9%
Provincial Cabinet Minister	11	2	18.2%
Provincial Deputy Minister	13	1	7.7%
Mayor/Chairperson of Municipal Council	88	12	13.6%
Member of Municipal Council (other than Chairperson)	494	103	20.9%
Chairperson of School Board	5	0	0.0%
Member of School Board (other than Chairperson)	70	28	40.0%
Total	713	153	21.5%

279. In addition to these positions, the first female member was appointed to the Supreme Court of Prince Edward Island.

Significant changes in the status and equality of women

280. In 1986, the Government of Prince Edward Island established a Women's Directorate with a staff of one to act in an advisory capacity to the Minister Responsible for the Status of Women. A few years later, this Directorate became a Women's Division within the Department of Labour with responsibilities to advise both the Minister of Labour with regards to labour force issues directly affecting women and to advise the Minister Responsible for the Status of Women. In 1991, the Women's Division will be made into a Women's Secretariat with its chief officer having deputy minister status. This action will ensure input on women's issues in all discussions of government policies.

Remaining obstacles to the participation of women on an equal basis with men

281. As reported in Canada's second report, therapeutic abortions are not available at any hospital or clinic in Prince Edward Island. To obtain a therapeutic abortion, women from Prince Edward Island must seek such a service in another province. The costs of this medical service are covered by the Prince Edward Island Hospital and Health Services Commission.

3. NOVA SCOTIA

Article 2

282. The *Human Rights Act*, R.S.N.S. 1989, c. 214, continues to be the principal anti-discrimination law providing recourse for women who allege discrimination based on sex. Pregnancy-based complaints and complaints of sexual harassment are considered as complaints of sex discrimination. The Human Rights Commission, in 1990, through policy guidelines expanded the definition of sex discrimination to include sexual orientation, thereby offering protection to the gay and lesbian community.

283. In 1985, 23 percent of complaints lodged under the Act were complaints of sex discrimination. The percentage, which increased to 35.5 percent in 1990, is largely due to the protection now offered to pregnant women.

284. Most complaints continue to be resolved through a conciliation process with settlements ranging from financial compensation, restoration in the job for which the person was terminated, redesigned hiring policies and practices, development of policies to deal with sexual harassment in the workplace, and awareness sessions for employers and employees associations.

285. Since 1985, only seven complaints of sex discrimination lodged through the Nova Scotia Human Rights Commission have gone to a public hearing. One was resolved at the hearing, one was lost by the woman on appeal, one found against the women, one found in favour of the woman, and three are awaiting decision.

286. In *Byron Himmelman v. King's Edgehill School*, the Supreme Court of Nova Scotia, Trial Division, in 1985, found that sexual harassment constitutes just cause for dismissal. A subsequent appeal from Mr. Himmelman was dismissed.

Article 3

287. The Women's Directorate, created in 1988, is an internal government agency which fosters a corporate approach to women's issues through consultations with government departments, research on legislation, policies and programs for women, and through identification of ways to improve the condition of women in the provincial public service.

288. The Interdepartmental Committee (IDC) on the Status of Women was then incorporated as an integral component of the Women's Directorate. Its principal goal is employment equity within the government sector. The IDC assists in the research and preparation of background papers and data collection on government programs and services as they affect women and advise the Women's Directorate on ways of improving the conditions of women in the Public Service.

289. Sub-committees for employment equity, communications, membership and planning are struck. The Communications Committee of the IDC is presently drafting a language policy to

promote the elimination of gender bias in any form of government communication. A final product is expected before 1991.

290. The IDC has distributed training packages on women's issues such as premenstrual syndrome, menopause, child care and child birth.

291. The Advisory Council on the Status of Women continues to operate at arm's length from government, and its wide-ranging duties and powers allow it to serve as a link to the women of Nova Scotia. The Advisory Council researches women's issues, proposes legislation, policies and programs, and practices, to enhance equality, and publishes its reports and recommendations.

292. The *Pay Equity Act*, R.S.N.S. 1989, c. 337, passed in 1988, has as its purpose the reduction of the wage gap between male and female workers which exists because of historical sex discrimination in pay practices. The first phase which includes civil servants, corrections employees, highway workers and employees of hospitals staffed by civil servants has been completed. The first installment of pay equity adjustments for all eligible female-dominated classes were provided in September 1990 and the remaining installment will be provided in September 1991, September 1992 and September 1993.

293. Phase two of pay equity which includes employees of Crown corporations, other hospitals and school boards has commenced.

Article 4

294. The Nova Scotia Human Rights Commission has approved 33 programs of affirmative action designed to eliminate systemic discrimination against women, visible minorities and disabled persons in employment, education and housing.

Article 7

295. Representation of women in political life continues to be irregular and the rates are rising very slowly. In the provincial legislature, the proportion of women dropped slightly from 6 percent in 1985 to 5.7 percent in 1990. During the same period, it rose from 14.6 to 15.5 percent on municipal councils and it dropped from 39.2 to 37.8 percent on school boards. In the judiciary, there were 3 federally-appointed women judges on a total of 32 in 1990, compared to 1 on a total of 31 in 1986, and 4 provincially-appointed women judges on a total of 45 in 1990, compared to 3 on a total of 38 in 1986. There were no women cabinet ministers on a total of 21 in 1990 compared to 1 on a total of 22 in 1985. There were 3 women deputy ministers out of a total of 23 in 1990, compared to 1 in 1985.

Article 10

296. Men and women have equal access in the field of education. More men withdraw from school prior to completion of Grade 12 than women.

297. Between 1983-84 and 1988-89, the percentage of women entering university increased from 48.3 percent in 1983-84 to 53 percent in 1988-89 for undergraduate studies and has jumped from 33.8 percent in 1983-84 to 42.2 percent in 1988-89 for graduate studies.

298. Women continue to avail themselves of training programs sponsored by the Canadian Employment and Immigration Commission and delivered by provincial training institutions. In 1988-89, 898 women and 3,113 men enrolled in these programs. In 1989-90, the number of enrollments increased to 1,106 for women and remained at 3,138 for men.

299. As a result of the *Vocational, Trades, Technical and Technological Training Act*, R.S.N.S. 1989, c. 495, which passed in 1986, the province's vocational schools and institutes were given the status of community colleges. These 16 colleges provide post-secondary training and education at minimal fees. In 1989-90, 2,345 women registered for courses at these colleges.

300. The percentage distribution of teachers by certificate and sex continues to be dominated by women over men up to TC5 (Baccalaureate Degree and Baccalaureate in Education) while the reverse is true for men from TC6 - TC8.

301. Women continue to dominate the teaching profession (58.9 percent in 1987); however, their gain to higher categories of the teaching profession is slow with more men employed as vice principals, principals, supervisors, system consultants and assistant superintendents. There is now one woman in the position of superintendent.

302. The largest school board in the province hired its first Supervisor of Race Relations, Cross-Cultural Understanding and Human Rights in May 1990. The mandate of this position extends to both students and staff within the jurisdiction of the board and addresses professional development, policy design and implementation, and liaison. Part of the goal is to have a workforce reflective of the community it serves, to ensure a harassment-free environment in the school, to ensure that the curriculum is free of bias and to provide development for all staff.

303. The Human Rights Commission continues to conduct school conferences throughout the province with a view to increasing the students' and teachers' understanding of human rights. A total of 123 conferences have been conducted to date.

Article 11

304. Reference has been made above under Article 3 to the *Pay Equity Act* passed in 1988.

305. The *Occupational Health and Safety Act*, R.S.N.S. 1989, c. 320, which passed in 1985, provides extended protection to employees at the workplace granting them the right to refuse to work if they have reasonable grounds for believing that the work may endanger their health or safety or the health or safety of any other employee.

306. The Department of Community Services, in March 1990, provided a salary enhancement grant to day care workers employed in non-profit day care centres. The grant, which improves salaries for day care workers by up to $5,000, is to be phased in over a two year period.

307. In April 1990, a Round Table on Day Care was created. The 13-member Round Table, represented by members of the day care community, through its committees on training and certification, legislation, salaries and subsidized spaces and family day care, will be submitting its final report to the Ministry of Community Services in April 1991.

308. Members of the Round Table, in the Fall of 1990, participated in the Ministerial Consultations on Day Care held throughout the province.

309. As a result of revised criteria, more families, including low-income as well as middle-income, now qualify for subsidized day care.

310. As of December 1989, female provincial civil servants who are eligible to receive maternity benefits under the federal *Unemployment Insurance Act* are now paid an allowance through the Supplementary Unemployment Benefits (SUB) Plan while on maternity leave. The SUB Plan consists of payments equivalent to 75 percent of her weekly rate of pay for the first two weeks of leave and payments equivalent to the difference between the weekly unemployment insurance benefits and 95 percent of her weekly rate of pay for an additional 15 weeks.

311. Both the Nova Scotia *Labour Standards Code*, R.S.N.S. 1989, c. 246, and the *Human Rights Act* provide protection to women in the area of employment who take temporary leave from work for the birth of a child.

Article 12

312. In October 1990, the Nova Scotia Provincial Court ruled in the *Queen v. Dr. Henry Morgentaler* that regulations made under the *Medical Services Act* requiring that abortions be performed in a hospital were outside the constitutional authority of Nova Scotia under the division of powers between the federal and provincial governments, as set out in the *Constitution Act, 1867*.

313. In Nova Scotia, since 1987, seven women have contacted AIDS. Although there are no specific programs designed for women with AIDS, or women with HIV-infected relatives or relatives with AIDS, the programs available to the public are being used by women.

314. The Maternal and Child Health Care Program is the primary prevention program of the Nova Scotia Department of Health and Fitness. This program includes prenatal education in the homes and in clinics, postnatal and infant home visiting and health assessment and supervision throughout the province of Nova Scotia. Parents of all new born children in the province receive a pamphlet on proper nutrition care for young babies.

Article 14

315. Programs operated by provincial government departments are available to women throughout the province, whether they reside in cities, towns or villages requiring little or very little travel by women to obtain services.

Article 16

316. The new *Children's Services Act*, R.S.N.S. 1989, c. 68, passed in 1990, provides greater opportunity for parents to raise their children and to receive the help they need rather than have their children taken away from them to be raised by someone else. The Act provides a clear statement of government policy respecting children and families and precise definitions of what constitutes the best interest of a child and a child in need of protection.

4. NEW BRUNSWICK

Article 2(*b*)

317. The New Brunswick *Human Rights Act* continues to prohibit discrimination on the basis of sex and marital status. The proportion of complaints received by the Human Rights Commission continues to be above 20 percent of the total case load. The largest portion of this number falls into the category of sex discrimination in employment.

Article 3

318. The Women's Directorate is an internal government mechanism whose role is to co-ordinate policy relating to women's issues. The Directorate actively works toward improving the social and economic condition of women in New Brunswick. To underscore the importance of the Women's Directorate functions, the Directorate was designated as a separate government department in 1988 and is now headed by a deputy minister.

Article 4.1

319. Since 1986, the New Brunswick government has been implementing an employment equity program to improve the status of women in the Civil Service. The period covered by the first three-year departmental action plan ended on December 31, 1989. Departments are submitting new action plans to Board of Management covering the period from April 1, 1990 to March 31, 1993.

320. Significant progress has been made in the status of women's employment in the Civil Service as a result of these initial employment equity initiatives.

321. Highlighting the year 1989 shows a general increase in women's representation from 38.2 percent to 39.6 percent. Notable increases were recorded in under-represented categories including senior and middle management levels and technical categories such as engineering, cartography, and assessing.

322. In spite of some gains, women continue to be concentrated in clerical and secretarial jobs. Although women's representation in these categories declined by 3.2 percent, over half of all female civil servants (53.1 percent) are in this category.

Article 5(*a*)

323. During 1986-87, a number of initiatives were undertaken by the Province of New Brunswick relating to sex-role stereotyping, including the establishment of a committee. The committee has completed its work by formulating a policy and specific guidelines to assist government departments in the elimination of stereotyping from government publications.

Article 7(*b*)

324. See Article 4.1.

Article 7(*c*)

325. Representation of women in trade unions, professional associations and political parties continues to remain below the proportional representation of men, but progress is noted between the period 1985 and 1989. In 1985, women represented 33.4 percent of union membership in the province. By 1989, this representation had increased to 37.8 percent.

Article 10

326. Increasingly, women in New Brunswick are attending university and obtaining degrees. Between 1970 and 1988, there was an increase of 133.5 percent in the number of women with university degrees compared to an increase of 12.1 percent in the number of men. In 1988/89, more than half (53.7 percent) of the full-time and part-time students enrolled in New Brunswick universities were women.

327. Despite women's continued enrolment in traditional fields of study in universities in New Brunswick, there has been a trend toward increasing female enrollment in science, business, law, engineering, forestry, and other non-traditional areas.

328. In 1987/88, there was more than three times the percentage of women in business, more than four times the percentage of women in forestry, almost five times the proportion of women in law, and over ten times the percentage of women in engineering than in 1971/72.

Article 11(*d*)

329. The *Pay Equity Act* proclaimed in 1989 applies to most employees in the New Brunswick public service. The Act is designed to eliminate gender-bias in pay for female-dominated classes by objectively comparing male- and female-dominated job classifications.

330. The Act stipulates a three-step process for implementation of pay equity, including:

(a) selection of a job evaluation
(b) evaluation of targeted job classes, and
(c) negotiation of pay adjustments with each union.

331. To date, 200 job classes have been identified as subject to the Aiken evaluation method. In addition, the Job Evaluation committee has been named along with a joint labour-management committee to oversee responsibility of the 200 evaluations which are scheduled to begin in September 1990. Completion is scheduled for December 1, 1990.

5. QUÉBEC

332. As required by article 18 of the *Convention on the Elimination of All Forms of Discrimination against Women*, the Government of Québec submits this update on legislative and other measures adopted to give effect to the provisions of the Convention and on progress made in terms of concrete results since the last report was submitted in 1988.

333. First, before enumerating accomplishments, it is important to provide a clear picture of the government mechanisms having to do with the status of women in Québec. In this regard, readers are referred to paragraphs 450 and 451 of the Second Report of Canada and to appendix 1 to the present report.

334. The year 1987 marked a turning point for the status of women in Québec. In organizing its activities, the Government decided that year to adopt a mid-term perspective by presenting three-year plans, accompanied by one-year action plans.

335. The planning document is the result of wide-ranging consultation that was based on priorities indicated by women's groups and on consideration by departments and agencies of which directions should be taken during the 1987-90 period. This document contains the comprehensive vision of the Government on the status of women and constitutes the groundwork for all its activities in this field.

336. Government activities are guided by the following overall objectives: to ensure the economic equality of women and promote their financial independence; to recognize the specific status of Québec women and, where appropriate, to remedy situations in which women are disadvantaged; to guarantee access to services adapted to women's needs; and to help change mentalities and attitudes. The implementation of these objectives in some important sectors may be categorized under the following themes: women's groups, essential partners; equality between spouses; equality in education; equality in work and income security; services adapted to women's situation; and the government as employer.

337. In taking this new approach, the Government indicated that women's situation must be taken into account, beginning with the earliest stages in the process of developing legislation, policies and government programs. In this way, the Government reaffirmed its intention to ensure true equality for Québec women and thus make possible new, egalitarian relations between women and men.

Article 2(*b*)

338. Over the period covered by this report, Québec's Commission des droits de la personne [human rights commission] continued to receive and investigate complaints of discrimination. For 1987, 1988 and 1989, statistics show that discrimination based on sex is a frequent ground for complaint (Appendix 2).

339. As well as conducting investigations, the Commission continued its work of managing information and education programs in the workplace dealing in particular with pay equity programs, sexual harassment and discrimination.

Article 2(*f*)

340. In 1989, section 108.3 of the *Act respecting the Québec Pension Plan*, R.S.Q., c. R-9, was amended in order to make eligible for a surviving spouse's pension, starting on January 1, 1984, any person who had ceased to be entitled to it on December 31, 1983 by reason of remarriage.

341. With regard to school elections, the ineligibility of spouses for positions as commissioners or school trustees was abolished in 1989 with the adoption of *An Act respecting school elections*, S.Q. 1989, c. 36, which replaced on this subject the *Education Act*, R.S.Q., c. I-13.3.

Article 3

342. In order to alleviate the insecurity and economic dependence experienced by a number of disadvantaged people, many of whom are women, a reform of income security was introduced in 1988. This reform includes three separate programs:

(1) Benefits under the financial support program for persons unable to work for long periods because their physical or mental heath has been significantly impaired were increased.

(2) The purpose of the Actions positives pour le travail et l'emploi (APTE) [affirmative work and employment action] program is to help its beneficiaries re-enter the labour force. The program is aimed at persons who are able to work and temporarily unavailable because of their health or age, or because they have children of preschool age. The program takes women's situation into account by recognizing the temporary unavailability of beneficiaries who are responsible for children of preschool age, as well as the difficulties experienced by persons between 55 and 64 years of age in re-entering the labour force.

(3) The Aide aux parents pour leurs revenus de travail (APPORT) [labour income assistance to parents] program has replaced the Supplément au revenu de travail (SUPPRET) [supplement to labour income] program. This program is aimed solely at male and female low-income earners who are responsible for children. Its objective is to create a difference between labour income and social assistance benefits large enough to encourage parents to enter and remain in the labour force. Unlike the former program, it partially covers the costs of child day care and provides for the monthly payment of benefits.

Article 4

343. The three-year plan to promote the development of voluntary affirmative action programs in the private, parapublic and municipality-related sectors, adopted by the Government in 1986, made it possible to develop such programs in 16 private businesses covering over 400 establishments and plants, 13 municipalities and municipality-related organizations covering over 65 percent of all municipal employees in Québec, 10 establishments in the health and social services network, 18 colleges and universities, and 18 school commissions.

344. Although it is still too early to measure the actual impact of these programs on improving the representation of women in various employment categories and eliminating systemic discrimination, these initiatives have made progress possible in those two areas. Most importantly, they contribute to a better understanding of systemic discrimination and its effects on the advancement of certain disadvantaged groups. In early 1991, the Minister Responsible for the Status of Women and Minister Responsible for the Family will release a report evaluating these 76 pilot projects.

345. The Government of Québec, in its role as an employer, has also committed itself to setting up an affirmative action program in the public service. Announced in September 1987, this program includes numeric representation objectives for the following employment categories: senior managers, professionals and teachers, labour personnel and peace officers.

346. This public service program, which covered the three-year period from 1987 to 1990, has helped increase the representation of women in each of the target employment categories. Representation of women in the senior management category stood at 7.2 percent in March 1987 and at 8.5 percent in March 1989. Over the same period, representation of women rose from 20.8 percent to 23.2 percent in the professional category, from 28.4 percent to 30.4 percent among teachers and from 5.3 percent to 5.8 percent for officers of the peace. Among labour personnel, women's representation rate remained steady at 1.1 percent (Appendix 3).

347. In April 1989, the Government of Québec announced the implementation of a contractual obligation policy. This policy applies to all for-profit organizations having over 100 employees and wishing to bid on contracts for goods or services or to obtain a grant of over $100,000, and requires that they commit themselves to setting up an affirmative action program in accordance with the Québec *Charter of Human Rights and Freedoms*. The commitment takes effect on the day the organization obtains a contract or a grant. If an organization fails to respect its commitment, the policy stipulates that its name shall be removed from the inventory of government suppliers for at least two years.

348. In October 1990, some 125 organizations had signed a certificate of commitment; of that number, 61 had obtained a contract or grant and had therefore begun to set up an affirmative action program.

349. Lastly, studies are being conducted in order to determine how such a policy could be applied in the construction sector.

Article 7(*a*)

350. In the municipal sector, the representation of women rose slowly. In 1987, 5.4 percent of mayors were women. This rate rose to 5.6 percent in 1989. In 1987, 14.2 percent of councillors were female; in 1989, this figure stood at 14.3 percent (Appendix 4).

Article 7(*b*)

351. Progress in the representation of women in the public service is irregular. In 1986, 16.6 percent of executive positions were occupied by women. For 1987, 1988 and 1989, the respective

representation rates of women were 9.9 percent, 17.5 percent and 14.4 percent. In 1987 and 1988, no deputy ministers were women. In 1989, two women were deputy ministers, thus accounting for 8.3 percent of such positions. In general, the rate of participation by women is inversely proportional to the hierarchical level of executive positions (Appendix 5).

352. Among judges, progress is also irregular: women judges accounted for 6.3 percent of this group in 1986, 5 percent in 1987, 6.9 percent in 1988 and 6.3 percent in 1989 (Appendix 6).

353. At the political level, the 18 women elected to the National Assembly in the 1985 election represented 14.7 percent of all members elected. In the most recent election, held in 1989, the 23 women elected accounted for 18.4 percent of all members elected. As well, in 1985 four women (14.3 percent) were ministers; their number rose to six (20 percent) in 1989.

Article 8

354. The Government encourages greater participation in international activities by Québec women. The Québec Department of International Affairs has assisted the participation of women in such activities by providing technical and financial support (Appendix 7).

Article 10

355. The major education objectives contained in the three-year (1987-90) plan on the status of women and its accompanying one-year action plans were to promote fairer representation of women at all levels and in all disciplines, and to promote and support qualifying training aimed at bringing women into the labour force. These objectives have given rise to a series of measures affecting education in general, vocational training, recognition of experience, response to the needs of certain specific client groups, and research.

Article 10(*a*)

356. With regard to vocational training, the Government of Québec has intensified its activities in order to encourage Québec women of all ages to diversify their occupational choices, particularly in the fields of science and technology.

357. The main means of doing so are producing educational and vocational guidance tools (folders, brochures and videos), raising the awareness of the various professionals involved, and distributing research on women who have opted for non-traditional training. As well, specialized counselling services for women continue to be offered by programs and services of which they constitute a target group (Transition-travail [work transition], Initiation aux métiers non-traditionnels [introduction to non-traditional jobs], and Services externes de main-d'oeuvre (SEMO) [outside employment services] for women).

358. In order to support occupational diversification, various programs facilitating women's entry into training or employment in non-traditional sectors have been developed. With regard to job readiness training, introductory programs to non-traditional jobs at the secondary and college levels, and technological careers programs at the college level, have been offered. With regard to education preparatory to vocational training, programs leading to the secondary school diploma,

secondary school upgrading programs, and preparatory programs at the college level for technological training have been offered.

359. Lastly, recognition of experience is considered one of the most effective means of facilitating women's entry and rapid progress in a training program or on the job. The development of tools and services that make it possible to recognize educational and extra-curricular experience when a person is returning to school or re-entering the labour force has been intensified. The specific needs of women in this area have been given special attention by all partners concerned. Research projects and experimental projects have been conducted in order to make possible the recognition of experience from work in the home or as a volunteer.

Article 10(*c*)

360. Activities aimed at making school personnel, parents and students aware of sexist stereotypes have been undertaken in the schools. A video entitled "D'amour et d'argent" [about love and money] and a teacher's guide to its use, aimed at making secondary school students aware of the need to be actively responsible for their financial independence, were produced in 1988 and included in the economics curriculum. A guide to educational activities, designed for teachers of grades 4 to 6 and aimed at developing students' critical faculties with regard to sexism in their daily lives, was published in the fall of 1989.

361. As well, activities whose purpose is to eliminate sexist stereotypes in educational material were carried out. A guide to non-sexist alternatives, for producers of educational material, was published in the spring of 1988 by the Department of Education.

362. Lastly, activities to combat sexist stereotypes outside the school environment were undertaken, especially in the media. Articles on the evolution of women in the media were published in 1988, 1989 and 1990 in the Bulletin des communications, which has a readership of 2,500 decision-makers in the field of communications.

Article 10(*d*)

363. In 1989, the Government of Québec implemented a reform of financial assistance to students. This reform included several provisions whose impact on women is positive: a higher level of eligible expenses, including child day care expenses; changes to the calculation of spousal contribution; elimination of the minimum contribution for a student with a child; advance payment, as early as June, of a portion of the assistance for heads of single-parent families; and the creation of a new bursary program for part-time university students.

364. Since 1987, and in order to highlight the accomplishments of adolescent women in the sciences, the Irma Levasseur prize has been awarded by the Minister Responsible for the Status of Women. The prize provides $1,000 to each winner; women students who submit projects for science fairs organized by the Conseil de développement du loisir scientifique [council for the development of science in leisure] are eligible.

365. Lastly, the program to support the development of scientific and technical culture and the program of subsidies to scientific magazines, administered by the Department of Higher Education

and Science, now include conditions that encourage the dissemination of information about women's participation in, and contribution to, the sciences, as well as greater female readership.

Article 10(*e*)

366. In order to provide continuing education services that are better adapted to women's needs, the Government of Québec has ensured that those needs are taken into account where adult educational services are offered. In order to accomplish this objective, the Government actively supported women's participation in regional round table discussions on education and labour whose participants included regional representatives from the three major systems providing adult educational services (Education; Higher Education and Science; and Labour, Income Security and Vocational Training). It also encouraged women's involvement in the Services régionaux d'accueil-référence [regional reception and reference services], which are a unified source of educational and occupational information for adults and help provide counselling and guidance for adults returning to school.

Article 11

367. In order to alleviate the worsening financial situation of minimum-wage earners, the minimum hourly rate was raised from 1986 to 1989 from $4.35 to $4.55, $4.75 and $5.00 on October 1 of those years. Over the same period, the hourly rate for workers who receive tips was raised from $3.63 to $3.83, $4.03 and $4.28. Lastly, the minimum weekly rate payable to a domestic residing in the home of the employer was raised from $150 to $161, $172 and $186 from 1986 to 1989. These successive increases in the minimum wage benefit mainly women, who account for 60.9 percent of minimum-wage earners.

Article 11.1(d)

368. Québec gives priority to affirmative action programs as a means of ensuring employment equity. Pay equity is an important component of this objective, and in accordance with that principle, **employers are now required** to identify and eliminate human resources management policies and practices that have a discriminatory effect on women and other target groups. This requirement implies that an organization's human resources management system will be corrected in accordance with an analysis, the purposes of which, among others, are to ensure that salary policies are in conformity with section 19 of the Charter and to detect the existence of pay inequities between men and women.

369. Québec has introduced both affirmative action and pay equity. Evaluations of pilot projects will enable the Government to propose ways for Québec to set up mechanisms that will effectively achieve employment equity.

370. In the public and parapublic sector, pay equity was the main theme of collective bargaining in 1989. Parity committees were set up, and the approach adopted by both parties made it possible to implement pay equity in all employment categories, whether comprised mainly of women or not.

371. By the fall of 1990, the pay equity policy has produced the following results:

- 150,000 (80 percent of them women) of a total of 180,000 employees of both sexes whose positions were evaluated benefited from an adjustment.

- A limit of 2.5 percent was set on adjustments in any given employment category for 1990 and 1991.

- The cost of these adjustments has led to increases in the basic parameters of 0.9 percent in 1990, 0.6 percent in 1991 and 0.5 percent in 1992 (the first year of the next collective agreement), which represent an additional expenditure of $250 million.

- Of that $250 million, one-third will go to the nurses' group alone.

- It is estimated that the costs of adjustments that may be indicated by the completed evaluations of employment categories still under study will correspond to 0.4 percent of aggregate remuneration.

372. The total cost of pay equity could amount to 2.5 percent of aggregate remuneration; adjustments will be phased in over a minimum of three years.

Article 11.1(*e*)

373. A complete reorganization of the legislative standards applicable to private pension plans was made by means of the *Supplemental Pension Plans Act* (R.S.Q., c. R-15.1). Certain elements of this reorganization are of particular benefit to women. Now, part-time workers, many of whom are women, may become members of a pension plan. As well, the rule regarding the investment and vesting of pension credits accumulated through employee and employer contributions has been made more flexible. The purpose of making this rule more flexible is to enable more women, whose participation in the labour force is punctuated by absences of varying duration in order to care for young children, to improve their economic position on retirement. This act also provides for payments to the surviving spouse on the death of a member of a pension plan. Since women's life expectancy is higher than that of men, this provision will help improve their economic position.

Article 11.2(*b*)

374. The income security program created in 1986 under the James Bay and Northern Québec Agreement, by means of the *Act respecting Income Security for Cree Hunters and Trappers* (R.S.Q., c. S-3.2), constitutes a special economic measure whose purpose is to guarantee income security for these hunters and trappers while promoting the survival and maintenance of a traditional way of life.

375. An amendment of the Agreement and the Act entitles a native woman registered for the income security program to maternity benefits if she becomes unable to participate in these activities because of pregnancy, the after-effects of pregnancy or the need to care for her child.

Article 11.2(c)

376. In May 1989, the Government released a policy statement on child day care services entitled "Pour un meilleur équilibre" [for a better balance] that specified the government's approach to making co-ordinated development, enhanced quality and improved funding for child day care a reality.

377. The main elements of the policy are: development of 60,830 spaces over a seven-year period, with priority given to spaces in workplaces and schools; implementation of regional planning, in co-operation with community partners; a special budget within the funding formula, equivalent to one percent of aggregate remuneration, for staff training and development; a more generous assistance and tax exemption program for parents; amendment to the funding formula for not-for-profit child day care centres (a basic subsidy plus 30 percent of actual income from child day care); and experiments on new approaches to child day care adapted to the needs of various client groups. On March 31, 1989, child day care services in Québec provided a total of 75,228 spaces: 40,666 in day care centres, 5,423 in home-day care, and 29,139 in school-day care.

Article 12

378. Providing fully appropriate medical response to the problems experienced by women is important to the Government.

379. Government objectives were to ensure that care given to women is adapted to their particular needs and to fight sexist stereotypes that prevail in the social and health services.

380. In order to achieve these objectives, several activities have been undertaken, most importantly in the following fields: mental health; new reproductive technologies; sexually transmitted diseases (STDs) and AIDS; development of research and prevention programs specifically oriented toward women's health; and spousal and sexual violence.

381. With regard to mental health, a new policy and action plan were unveiled. A task force was set up to study the particular mental health patterns of men and women and appropriate treatment for these two client groups. A training program on treatment for women, aimed at professionals working in the network, was developed, and implementation of some measures contained in the action plan was begun in the regions. In addition, a three-month mental health awareness campaign was conducted; in it, the person with mental health difficulties was portrayed by a young woman.

382. In 1989, the Department of Health and Social Services published the principles that will guide its activities in the field of new reproductive technologies. The most important and most immediate guidelines have to do with the prevention of infertility and sterility, a ban on pregnancy contracts, a limit on the number of centres offering new reproductive technologies, restrictions governing donations of gametes, prevention of human immunodeficiency virus (HIV) infection in donated sperm and, lastly, research on embryos.

383. The incidence of sexually transmitted diseases (STDs) has risen considerably, most notably because of AIDS. A major information campaign covering a three-year period dealt with preventing STDs and AIDS. The first phase of this campaign took place in 1987/88. The Centre québécois de coordination sur le SIDA [Québec co-ordinating centre on AIDS], whose mandate is to advise the Minister of Health and Social Services regarding AIDS and to co-ordinate action plans to combat AIDS, was set up in 1989. The Centre organized a forum entitled "Les femmes et le SIDA" [women and AIDS]. As well, a comprehensive action program to reduce the incidence of STDs through awareness, detection, treatment and research was carried out.

384. The main research programs oriented toward women's health dealt with elderly persons and perinatal care.

385. In 1989, a task force submitted a report on abuse of the elderly. The report included recommendations and measures whose purpose is to prevent or remedy situations where abuse occurs, to monitor the network of unregulated accommodation, to improve the quality of services provided in accommodation, to make it easier for elderly persons to exercise their rights, and to recognize afresh the worth of those persons. It should be noted that there are more elderly women than men, and that elderly women are more often poor.

386. With regard to perinatal care, research and reports on perinatal morbidity and mortality, pregnancy among adolescent women, and the post-natal period were published. Development of a basic birth planning services program was also begun.

387. Spousal and sexual violence is a phenomenon that particularly affects women. Although some activities have been carried out, much remains to be done. In this field, the Government has set the following objectives: to ensure the safety and protection of victims of violence and criminal acts, to improve social and judicial services for victims and their aggressors, and to break down stereotypes surrounding violence against women.

388. To that end, financial support was increased for shelters for women who are in difficulty or victims of violence and for centres for assistance and the fight against sexual assault. A Québec-wide information campaign was conducted in order to raise public awareness of the phenomenon of spousal violence. In order to refer victims of spousal violence to appropriate assistance services, a hot line service called "SOS Spousal Violence", accessible from all parts of Québec, was opened in December 1987. This service is provided at no cost and is accessible at all times through a single number in all regions of Québec.

389. An information and awareness campaign was conducted to support native women in Québec in their fight against family violence. As well, a co-ordinator of activities addressing family violence, whose job is to work with the local authorities in native communities, was hired.

390. In June 1988, the Government adopted the *Act respecting Assistance for Victims of Crime* (R.S.Q., c. A-13.2). This act not only clearly recognizes the rights and responsibilities of victims of criminal acts, but also created the Bureau d'aide aux victimes d'actes criminels [bureau of assistance to victims of criminal acts], whose principal mandate is to promote the rights of victims and to ensure that the activities of individuals, departments and agencies offering services to victims are co-ordinated. In addition, the Bureau is to promote the establishment of centres in all

regions of Québec providing assistance to victims of criminal acts and run by community organizations, and to provide these centres with appropriate professional and technical support.

Article 12.2

391. In order to address the problems of disadvantaged pregnant women, the first two phases of a nutrition assistance program for pregnant women in economically disadvantaged situations were introduced on an experimental basis in certain regions. Once the results of these experiments are evaluated, a decision on the advisability of implementing this program throughout Québec will be made.

Article 13(*b*)

392. Although the incidence of overt discrimination by financial institutions against women has clearly been reduced, dissatisfactions do remain. In 1988, aware of the fact that limited access to credit entails some degree of economic marginalization, the Secrétariat à la condition féminine [secretariat on the status of women] published a brochure whose purpose was to inform women not only of their rights regarding credit but also of the way the system works, so that they can make full use of it.

Article 13(*c*)

393. In order to follow up on the work of the Comité sur les femmes, le sport et l'activité physique [committee on women, sports and physical activity], the Government introduced an action plan in June 1989. The plan contains several incentives aimed at making the sports community aware of the specific situation of women and at enhancing women's participation on boards of directors and in the management of sports federations.

394. Moreover, since December 1989, the Viactive [active life] program has been implemented in community health departments throughout Québec. This program enables the elderly to take charge of their physical activity regimen. Most of this client group by far (80 percent) is female.

Article 14

395. In order to promote access by farm women to ownership of farm businesses at which they work along with their spouses, a brochure entitled "Incidences fiscales au moment du partage d'actifs entre conjoints et durant la coexploitation" [Tax considerations when assets are divided between spouses and during joint operation] was published in November 1989.

396. In 1990, *An Act to amend the Farm Producers Act* was adopted, S.Q. 1990, c. 74. Section 1 of this act authorizes the creation of specialized syndicates whose object is the study, defence and promotion of interests which relate to the status of women.

Article 16.1

397. In 1980, at the conclusion of lengthy study by the government, the passage of a new Civil Code reforming family law enshrined the legal equality of women in marriage. This achievement

of legal equality did not automatically lead to greater economic equality. As a result, in January 1987, the Comité interministériel sur les droits économiques des conjoints [interdepartmental committee on the economic rights of spouses] was set up; its mandate was to suggest various possible legislative amendments that would ensure fair and equitable treatment of each spouse on dissolution of the marriage. On July 1, 1989, the *Act to amend the Civil Code of Québec and other legislation in order to favour economic equality between spouses*, S.Q. 1989, c. 55, came into force. This act applies to all spouses regardless of their matrimonial regime; its purpose is to promote economic equality between spouses and to underline the character of marriage as a partnership. Under this act, marriage entails the establishment of a family patrimony consisting of certain property of the spouses regardless of which of them holds a right of ownership in it. The property that constitutes the family patrimony is the principal residence and the secondary residence or the rights that ensure the family dwelling, all furniture destined to furnish or decorate the principal family residence, the motor vehicles used for family travel, and the benefits accrued during the marriage under a public or certain other retirement plans. In the event of separation or dissolution or annulment of the marriage, the value of the family patrimony is equally divided between the spouses or between the surviving spouse and the heirs, as the case may be.

398. Other measures were adopted as well. The rules regarding the compensatory allowance were amended in order to allow a spouse who contributes to running in a business to exercise the right to the compensatory allowance during the marriage, from the time the co-operation ends. Formerly, this right could be exercised only on dissolution of the marriage or on separation.

399. Lastly, the Act introduces the concept of survival of the obligation to provide support, which entitles every one who was a creditor of support to claim a financial contribution as support from the succession.

400. Elsewhere, measures regarding the indexing and collection of support payments were enacted. In 1987, a system of automatic collection from defaulting debtors was introduced in order to improve the financial security of individuals, most of them women, who had obtained a judgement granting them support. The collection officer is now responsible, not only for acting as garnisher, but for collecting support payments for one year from the date all arrears are paid. Furthermore, if the debtor defaults during that period, the one-year period begins again, starting on the date the default occurs. Where the creditor is receiving social assistance, the collection officer is responsible for collecting support payments as long as the social assistance is provided.

401. In order to maintain the actual monetary value of an obligation resulting from a judgement granting support payments, an automatic indexing system was introduced in 1988. At the beginning of each year, the amount granted by the judgement will be indexed according to the annual pension index. However, the court retains discretion to impose a lower rate of indexation or to refuse indexing. This discretion may be exercised only if the application of the legal index creates a serious distortion between the needs of the creditor and the capacity of the debtor.

TABLE 1

REPRESENTATION OF WOMEN ON ELECTED PUBLIC BODIES

National Assembly	Municipal Councils (Mayors and Councillors)			School Boards
1989	1987	1988	1989	1987
18.4%	5.4% 14.2%	5.5% 14.1%	5.6% (1) 14.3% (2)	41.6%

(1) Mayors
(2) Councillors

TABLE 2

REPRESENTATION OF WOMEN IN THE JUDICIARY

Federal Appointments (Superior Courts)*			Provincial appointments (Lower Courts)		
Women Judges	Total No. of Judges in Office	%	Women Judges	Total No. of Judges in Office	%
8	153	5.2%	19	275	6.9%

* As of April 1, 1989

TABLE 3

WOMEN IN EXECUTIVE POSITIONS IN GOVERNMENT

Ministers (Appointed from among elected members of the National Assembly)	Deputy Ministers Associate Deputy Ministers (Appointed from within the Public Service)	Assistant Deputy Ministers (Appointed from within the Public Service)
Women/Total 1989	Women/Total 1989	Women/Total 1989
6/30 (20.0%)	6/54 (11.1%)	10/90 (11.1%)

APPENDIX 1

Minister Responsible for the Status of Women and Minister Responsible for the Family[1]

[1] Minister Responsible for the Status of Women and Minister Responsible for the Family has ensured that there is an officer responsible for the status of women in the policy offices of the departments concerned

Secretariat on the Status of Women[3]

Status of Women Council[2]

Child Care Services Bureau[4]

[3] Created in 1979, the Secretariat is responsible for assisting the Minister Responsible for the Status of Women and Minister Responsible for the Family in her duties of co-ordinating and developing government activities pertaining to the status of women.

[2] Created in 1973, the Council is a body responsible for advising and making recommendations to the Minister on all matters regarding equality and respect for the rights and status of women

[4] Created in 1979, the Bureau is legally responsible for child day care services: for ensuring that good quality services are provided, promoting development of those services that is harmonious with other family policies, and applying legislation and regulations

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Several Departments have appointed a person or group to be responsible for matters pertaining to the status of women. The role of these officers is to ensure that relevant measures and policies are developed and co-ordinated and that these policies are compatible with women's rights and interests.

Five Status of Women Offices

- Department of Agriculture, Fisheries and Food
- Department of Education
- Department of Higher Education and Science
- Department of Labour, Income Security and Vocational Training
- Department of Health and Social Sciences

One Women's Entrepreneurship Directorate

- Department of Industry, Trade and Technology

Fifteen Departmental Officials

- Department of Cultural Affairs
- Department of Municipal Affairs
- Department of Supply and Services
- Department of Cultural Communities and Immigration
- Department of Communications
- Treasury Board
- Department of Environment
- Department of Justice
- Human Resources Bureau
- Department of Public Security
- Department of Labour
- Secretariat for Native Affairs

Legend: Line Reporting Relations
Staff Reporting Relations

SOURCE: The government's Status of Women Action Plan, 1986-87, updated by the Secrétariat à la condition féminine on September 11, 1990.

APPENDIX 2A

Breakdown of Cases Opened in 1987 by Sector and Grounds for Montréal, Québec City and the Regions

Sectors

	Labour	Accommo-dation, Goods and Services	Transpor-tation, Public Places, Access	Public Notices	Others	Total	%
GROUNDS							
Age	49	10	2	0	2	63	8.6%
Criminal Record	15	0	0	0	1	16	2.2%
Social Condition	5	18	0	0	0	23	3.2%
Political Conviction	12	0	1	0	2	15	2.1%
Civil Status	42	10	1	0	12	65	8.9%
Exploitation	0	1	0	1	6	8	1.1%
Pregnancy	15	0	0	0	0	15	2.1%
Handicap	105	13	18	0	6	142	19.5%
Harassment	122	11	11	1	10	155	21.3%
Language	13	1	1	0	0	15	2.1%
Multiple Grounds	16	5	1	1	19	42	5.8%
Sexual Orientation	3	1	0	0	2	6	0.8%
Ethnic and National Origin	11	3	0	4	2	20	2.7%
Race or Colour	25	12	6	0	4	47	6.4%
Religion	4	3	1	0	0	8	1.1%
Sex	78	3	3	3	2	89	12.2%
Total	515	91	45	10	68	729	100%
Percentage	70.6%	12.5%	6.2%	1.4%	9.3%	100%	

SOURCE: Commission des droits de la personne du Québec, Rapport annuel 1987, Les Publications du Québec, Québec, 1988, p. 39.

APPENDIX 2B

Investigation Cases Opened in 1988
Breakdown of Complainants by Sector and Grounds (677 complainants*)

Sectors

	Labour			Accommodation, Goods and Services			Access, Transportation, Public Places			Public Notices			Others		
Complainants**	**W**	**M**	**O**	**W**	**M**	**O**	**W**	**M**	**O**	**W**	**M**	**O**	**W**	**M**	**O**
Grounds															
Handicap	29	82	5	3	7	2	5	9	2	-	1	-	3	2	3
Harassment	40	10	29	1	2	-	3	7	-	-	-	-	4	11	-
Sex	48	9	7	5	2	-	-	-	-	-	-	-	-	-	-
Civil Status	18	27	3	4	6	1	-	-	-	1	-	-	-	-	-
Age	12	28	7	4	4	-	3	2	-	-	-	-	-	-	-
Race or Colour	10	12	-	4	5	1	1	4	-	-	-	-	2	6	2
Criminal Record	2	35	1	-	-	-	-	-	-	-	-	-	-	-	-
National or Ethnic Origin	9	13	-	3	1	-	1	-	-	-	-	-	-	5	-
Pregnancy	28	-	2	-	-	-	-	-	-	-	-	-	-	-	-
Social Condition	1	6	-	5	7	1	-	1	-	-	-	-	3	-	-
Exploitation	-	-	1	-	-	-	-	-	1	-	-	-	2	1	7
Sexual Orientation	1	3	-	-	-	-	1	1	-	-	-	-	1	-	-
Religion	1	3	-	-	-	-	-	-	-	-	-	-	1	2	-
Political Convictions	2	3	-	-	-	-	-	-	-	-	-	-	-	-	-
Language	2	1	-	-	1	-	-	-	-	-	-	-	-	-	-
Multiple Grounds	4	4	2	1	3	-	-	-	-	-	-	-	-	1	4
Total	207	236	57	30	38	5	14	24	3	1	1	-	16	28	16
	% Sector			% Sector			% Sector			% Sector			% Sector		
	41.4	47.2	11.4	41.1	52.0	6.9	34.2	58.5	7.3	50	50	0	26.7	46.7	26.7
Total/Sector	**500**			**73**			**41**			**2**			**60**		

* The number of complainants is higher than the number of cases opened in 1988. This is because, in four cases, two persons made complaints about the same occurrences.

** W: Women; M: Men; O: Organizations acting "in the name of another" under section 70 of the Charter.

SOURCE: Commission des droits de la personne du Québec, Rapport annuel 1988, Les Publications du Québec, Québec, 1989, p. 22.

APPENDIX 2C

Investigation Cases Opened in 1989
Breakdown of Complainants by Sector and Ground (908 complainants)*

Sectors

	Labour			Accommodation, Goods and Services			Access, Transportation, Public Places			Public Notices			Others		
Complainants**	**W**	**M**	**O**	**W**	**M**	**O**	**W**	**M**	**O**	**W**	**M**	**O**	**W**	**M**	**O**
Grounds															
Handicap	38	82	7	2	10	6	6	10	4	-	-	-	3	4	1
Harassment	61	41	14	10	7	-	4	-	-	-	-	-	9	11	1
Sex	58	16	40	2	1	-	-	1	-	-	-	-	8	4	-
Civil Status	44	14	3	9	5	1	1	-	-	-	-	-	1	-	-
Age	21	31	2	10	8	-	3	1	-	-	-	-	-	-	-
Race or Colour	8	16	3	3	2	-	4	1	-	-	-	-	11	15	4
Criminal Record	-	33	-	-	2	-	-	-	-	-	-	-	-	1	-
National or Ethnic Origin	8	12	1	3	3	-	-	1	-	-	-	-	-	6	4
Pregnancy	37	2	-	2	-	-	-	-	-	-	-	-	-	-	-
Social Condition	2	1	-	11	7	-	-	2	-	-	-	-	1	3	-
Exploitation	-	-	-	1	1	-	-	-	-	-	-	-	3	2	10
Sexual Orientation	-	9	1	1	3	1	1	1	-	-	-	1	-	5	-
Religion	3	7	3	2	1	1	-	-	-	1	1	-	3	-	-
Political Convictions	-	3	-	-	-	-	-	-	-	-	-	-	3	-	-
Language	8	5	-	1	1	-	-	-	-	-	-	-	-	-	-
Multiple Grounds	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-
Total	288	273	74	57	51	9	19	17	4	1	1	1	42	51	20
	% Sector			% Sector			% Sector			% Sector			% Sector		
	45.3	43.0	11.7	48.7	43.6	7.7	47.5	42.5	10.0	33.3	33.3	33.3	37.2	45.1	17.7
Total/Sector	**635**			**117**			**40**			**3**			**113**		

* The number of complainants is higher than the number of cases opened in 1989. This is because, in some cases, two persons made complaints about the same occurrences.

** W: Women; M: Men; O: Organizations acting "in the name of another" under section 70 of the Charter.

SOURCE: Commission des droits de la personne du Québec, 1989 - Éléments d'information sur les activités de la Commission des droits de la personne, juin 1990, p. 11.

APPENDIX 3A

Breakdown of Regular Personnel in the Québec Public Service, by Employment Category and Sex (1987) (1)

	Men		Women		Total
Employment Category	**N**	**%**	**N**	**%**	**N**
Senior Managers	2,316	92.8	179	7.2	2,495
Managers and Middle Managers	1,968	86.1	317	13.9	2,285
Professionals	9,982	79.2	2,629	20.8	12,611
Teachers	300	71.6	119	28.4	419
Technicians	6,896	66.7	3,442	33.3	10,338
Office Personnel	4,155	23.9	13,257	76.1	17,412
Labour Personnel	4,075	98.9	46	1.1	4,121
Peace Officers	2,114	94.7	119	5.3	2,233
Other Public Servants	433	92.3	36	7.7	469

SOURCE: Office des ressources humaines, Présence des femmes, des hommes et des membres de groupes cibles dans la Fonction Publique du Québec, Volume 9, (1987), December 1987, p. 5.

(1) These data are taken from the Computerized Personnel Data Management System and are those used to issue the last pay of the 1986/87 fiscal year, ending on March 31, 1987.

Table prepared by the Secrétariat à la condition féminine.

APPENDIX 3B

Breakdown of Regular Personnel in the Québec Public Service, by Employment Category and Sex (1988) [1]

	Men		Women		Total
Employment Category	**N**	**%**	**N**	**%**	**N**
Senior Managers	2,232	92.4	183	7.6	2,415
Managers and Middle Managers	1,882	85.3	324	14.7	2,206
Professionals	10,149	78.5	2,782	21.5	12,931
Teachers	292	70.2	124	29.8	416
Technicians	6,858	64.4	3,789	35.6	10,647
Office Personnel	3,944	23.2	13,044	76.8	16,988
Labour Personnel	3,822	98.9	41	1.1	3,863
Peace Officers	2,131	94.7	119	5.3	2,250
Other Public Servants	409	91.3	39	8.7	448

SOURCE: Office des ressources humaines, Portrait statistique de l'effectif régulier de la Fonction Publique du Québec, Volume 1, (1988), p. 3.

(1) These data are taken from the Computerized Personnel Data Management System and are those used to issue the last pay of the 1987/88 fiscal year, ending on March 31, 1988.

Table prepared by the Secrétariat à la condition féminine.

APPENDIX 3C

Breakdown of Regular Personnel in the Québec Public Service, by Employment Category and Sex (1989) [1]

	Men		Women		Total
Employment Category	**N**	**%**	**N**	**%**	**N**
Senior Managers	2,185	91.5	203	8.5	2,388
Managers and Middle Managers	2,077	85.3	345	14.2	2,422
Professionals	10,048	76.8	3,027	23.2	13,075
Teachers	286	69.6	125	30.4	411
Technicians	6,749	62.3	4,078	37.7	10,827
Office Personnel	3,755	22.7	12,785	77.3	16,540
Labour Personnel	3,596	98.9	40	1.1	3,636
Peace Officers	2,152	94.2	133	5.8	2,285
Other Public Servants	407	91.9	36	8.1	443

SOURCE: Office des ressources humaines, Portrait statistique de l'effectif régulier de la Fonction Publique du Québec, (1989), p. 11.

(1) These data are taken from the Computerized Personnel Data Management System and are those used to issue the last pay of the 1988/89 fiscal year, ending on March 31, 1989.

Table prepared by the Secrétariat à la condition féminine.

APPENDIX 4

Representation of Women on Municipal Councils

	Positions as Mayors			Positions as Councillors		
	Total Number Elected	Number of Women Elected	% of Women	Total Number Elected	Number of Women Elected	% of Women
1987	1,500	81	5.4	9,331	1,325	14.2
1988	1,491	82	5.5	9,383	1,323	14.1
1989	1,488	83	5.6	9,227	1,323	14.3

SOURCE: Department of Municipal Affairs, Research and Policy Directorate, November 1990.

Data are as of April 1 of each year.

Table prepared by the Secrétariat à la condition féminine.

APPENDIX 5

Breakdown of Executive Positions by Employment Category and Sex

	Deputy Ministers				Associate Deputy Ministers				Assistant Deputy Ministers				Directors of Organizations				Members of Organizations			
	Men		Women		Men		Women		Men		Women		Men		Women		Men		Women	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	%
1987(1)	28	100.0	-	-	24	88.9	3	11.1	88	95.7	4	4.3	28	82.4	6	17.6	50	82.0	11	18.0
1988(2)	23	100.0	-	-	26	89.7	3	10.3	86	88.7	11	11.3	22	78.6	6	21.4	52	82.5	11	17.5
1989(3)	22	91.7	2	8.3	24	85.7	4	14.3	80	88.9	10	11.1	27	81.8	6	18.2	67	81.7	15	18.3

SOURCE:
1. Office des ressources humaines, Présence des femmes, des hommes et des membres de groupes cibles dans la Fonction publique du Québec, Volume 9 (1987), December 1987, p. 13.
2. Office des ressources humaines, Portrait statistique de l'effectif régulier de la Fonction publique du Québec, Volume 1 (1988), p. 11.
3. Office des ressources humaines, Portrait statistique de l'effectif régulier de la Fonction publique du Québec, 1989, p. 21.

These data are taken from the Computerized Personnel Data Management System and are those used to issue the last pay of each fiscal year, ending on March 31, 1987, 1988 and 1989.

Table prepared by the Secrétariat à la condition féminine.

APPENDIX 6

Representation of Women in the Judiciary

	Court of Appeal			Superior Court			Provincial Court			Court of Sessions of the Peace			Youth Court		
	Total number of Judges	Total number of Women	% of W.	Total number of Judges	Total number of Women	% of W.	Total number of Judges	Total number of Women	% of W.	Total number of Judges	Total number of Women	% of W.	Total number of Judges	Total number of Women	% of W.
1987	15	0	0.0	131	5	3.8	154	7	4.5	72	2	2.8	43	7	16.3
1988	15	2	13.3	136	7	5.2	152	9	5.9	73	2	2.7	45	8	17.8
1989	15	2	13.3	138	6	4.4									

Court of Québec (1)

	Total number of Judges	Number of Women	% of Women
1989	275	19	6.9

(1) In 1989, the Provincial Court, the Court of Sessions of the Peace and the Youth Court were combined to form the Court of Québec.

SOURCE: Québec Department of Justice, Office of the Deputy Minister, November 1990.
Data as of April 1 of each year.

Table prepared by the Secrétariat à la condition féminine.

APPENDIX 7

SUPPORT PROVIDED BY THE GOVERNMENT OF QUÉBEC FOR THE PARTICIPATION OF WOMEN IN INTERNATIONAL CONFERENCES AND SYMPOSIUMS

In the context of the three-year (1987-90) plan on the status of women, the Department of International Affairs provided assistance in order to promote greater participation by Québec women in international activities.

The France-Québec agreement on the status of women made possible the following 13 co-operative missions:

- two France-Québec missions on professional equality, in May 1987;
- one Québec-France mission on ethics in the life and health sciences, in December 1987;
- one Québec-France mission on professional equality, in February 1988;
- three France-Québec missions on the topics of family mediation, sexual harassment in the workplace and in agriculture, as well as one Québec-France mission on family mediation, in 1988;
- two France-Québec missions on the topics of the image of women in the media and government structures pertaining to the status of women, as well as three Québec-France missions on the topics of family mediation, new reproductive technologies and intervention aimed at women in the context of immigration, in 1989.

In order to promote the participation of Québec women in international activities in the field of research, development, production and distribution, the government provided technical and financial assistance to:

- three Québec women, in order to enable them to participate in the film festival in Créteil, France;
- a group of women health professionals, in order to enable them to participate in the fifth international conference on women and health in San José, Costa Rica;
- two midwives, in order to enable them to participate in the 21st international conference of the International Confederation of Midwives in The Hague, the Netherlands;
- a therapist from the Regroupement des centres d'aide et de lutte contre les agressions à caractère sexuel [association of centres for assistance and the fight against sexual assault],

in order to enable her to participate in a radical feminist therapy training session in San Francisco, United States;

- Henriette Lanctôt, president of the Association des femmes d'affaires du Québec [Québec business women's association], in order to enable her to undertake a mission to Italy, the purpose of which was to found an international association of business women whose head office would be in Montreal;

- Vidéo-Femmes, in the context of the "Femmes et films" [women and films] festival held in Cameroon.

Technical and financial support was provided to organizations offering training sessions in Québec for women from developing countries, as follows:

- two women, Ibrahim Halima Katiella from Niger and Salinatou Bah from Guinea, took a course in agricultural techniques in Québec;

- two women trainees at the École nationale d'administration publique [national school of public administration], Angélique Muyabo Nkulu, Zaire's deputy minister of the status of women, and Chahrazed Lamari, Tunisia's Secretary for External Affairs and International Co-operation, received technical support from a resource person at the Department of International Affairs.

In order to promote entrepreneurship by women, the government provided technical and financial support for:

- a regional training session for trainers in women's entrepreneurship, held in Abidjan, Ivory Coast, from February 20 to March 11, 1988, for women from the Ivory Coast, Gabon, Senegal and Cameroon; with the co-operation of the International Committee of African Women for Development, this session, attended by 36 persons, included workshops led by two women professionals from the Department of Industry, Trade and Technology;

- a Québec mission in February and March 1989, whose purpose was to organize training sessions on entrepreneurship by women in the Ivory Coast, and by means of which an adapted version of the workshops was prepared and leadership support provided.

In October 1988, the Department of International Affairs and the Department of Education jointly funded, prepared and held a training and awareness seminar on the role of education systems in promoting the status of women. This seminar was part of the program of the Conference of Education Ministers of Francophone Countries; about 12 participants, some from Europe and many from Africa, attended.

In order to be open to the experience of other countries and establish networks for exchange, information and solidarity with other countries, the government provided technical and financial support to receive the following speakers and experts on various topics:

- six prominent persons were invited by the Conseil du statut de la femme [status of women council] to participate in the Colloque sur les nouvelles technologies de la reproduction [symposium on new reproductive technologies] held in Montréal from October 27 to 31, 1987;

- in May 1988, representatives of the league of rights of Lebanese women visited Québec.

In order to ensure that women representatives from the government and from women's groups participated in meetings of international organizations, the government provided technical and financial support to:

- a representative from Women for Access to Political and Economic Power, in order to enable her to attend an international meeting on networking held in New York in August 1988;

- a representative of the Regroupement provincial des maisons d'hébergement et de transition pour femmes victimes de violence conjugale [provincial association of shelters and transition houses for women victims of spousal violence], in order to enable her to participate in the international conference on shelters held in Wales in October 1988.

In order to ensure that women participated in cultural, trade and educational events, the government provided financial and technical assistance as follows:

- to the Conseil des relations internationales [council on international relations] in Montréal, in order to organize the symposium entitled "Femmes et développement" [women and development], held in April 1988;

- to representatives from other countries, in order to enable them to participate in the third Foire internationale du livre féministe [international feminist book fair], held in Montréal in June 1988;

- to the group of African women from the UGEAC, in order to organize the symposium entitled "Femmes africaines et développement" [African women and development], held in September 1988;

- to the National Association of Women and the Law, in order to organize the symposium entitled "Women and Law, International Perspectives", held in February 1989.

6. ONTARIO

Introduction

402. This document summarizes and updates the measures that the Province of Ontario has taken since the second report up to December 15, 1990 with respect to provincial policies, legislation and programs relevant to the articles of the *Convention on the Elimination of All Forms of Discrimination against Women.*

Articles 2 and 3: Equality

Ontario Human Rights Commission

403. The Ontario Human Rights Commission administers and enforces the *Human Rights Code, 1981.* The purpose of the Code is to eliminate discrimination in all forms and to provide for the equal rights and opportunities of every person in Ontario.

404. The Ontario *Human Rights Code* was amended in 1987 to include pregnancy as a prohibited ground of discrimination.

405. At the same time, the *Human Rights Code* was amended to remove the exemption for "adults only" apartment buildings. The exemption had the effect of allowing landlords to refuse to rent accommodation to families with children. This discrimination impaired the ability of single-parent families, which are usually headed by women, to find accommodation. The Commission has dealt with a number of cases of discriminatory rental criteria that impede access to housing for single mothers with children.

406. The Commission's Policy and Research Unit is currently preparing a policy on sexual harassment and gender-related comments and jokes. The Commission's Systemic Investigation Unit aims to eliminate systemic barriers to equality through strategic enforcement and special programs.

Ontario Women's Directorate

407. The Ontario Women's Directorate is a central advocacy agency for women within the provincial government. The Directorate continues to work to enable the government to achieve its commitment to equality - economic, social and legal - for all the women of this province. The Directorate has continued to fulfil its mandate since its establishment in 1983, and now has almost 90 employees and a budget of $18.3 million.

408. Since the second report, the Sexual Assault Initiative and Wife Assault Prevention Initiative have become two major initiatives of the Directorate.

409. The Directorate is responsible for developing and co-ordinating a wide variety of programs intended to benefit women. These include three grants programs which provide support to

community-based projects. Funds are targeted for projects which address employment equity, pay equity, employment and education, violence against women, justice and health issues for women. The criteria also focus on the needs of immigrant, visible minority, aboriginal people, elderly, rural and young women. The community grants fund has about one million dollars available. Also, there are two other grants programs that distribute funds to local public education programs on sexual assault and wife assault prevention. These each have a fund of about $200,000 dollars and are administered on the basis of fair regional distribution.

Ontario Advisory Council on Women's Issues

410. The Council continues to advise government on matters pertaining to the status of women in Ontario. In formulating its recommendations, it consults widely with women's groups and the public across the province.

411. The appointment of seven new members in August 1988 reflects Ontario's diversity and brings to the Council varied experience in business, the law and community services.

Article 4.1: De facto equality

Employment Equity

412. Ontario's Working Group on Employment Equity was established under the Ministry of Citizenship in January 1988. Its terms of reference include the development of research material and policy options on employment equity for the broader public and private sectors in the province. The Working Group provides support to the Ministry of Citizenship in developing a comprehensive approach to employment equity for Ontario.

413. Employment equity for women, racial minorities, indigenous peoples, persons with disabilities and francophones is mandatory in the Ontario Public Service.

414. The Minister of Education reports annually to the legislature on workforce data collected from school boards by sex and occupational categories.

415. In early 1990, the Ontario Human Rights Commission issued guidelines on special programs designed to remedy economic disadvantage and to promote equality.

416. Since the second report, more new efforts have been undertaken by government to market employment equity in the broader public and private sectors. For example, the employment equity incentive fund created in 1985 with an original commitment of $4.3 million was extended in 1986 with an additional commitment of $12.3 million. The incentive fund will operate until 1992 with a total allocation of $16.6 million over seven years. The fund provides financial assistance, on a cost-sharing basis with recipients, to conduct needs assessments, hire employment equity co-ordinators for program development and implementation, and carry out special projects. By the end of the last fiscal year, 301 public sector organizations had drawn on the fund. This includes all the colleges and universities in Ontario, 102 school boards, 144 hospitals, and 24 municipalities. In 1987-88, 269 organizations received funding under this program, with a total of $4,638,000 disbursed.

417. In addition, the Ontario's Women's Directorate administers several programs aimed at promoting employment equity. Some of these programs include training for new employment equity practitioners in the public sector, the establishment of a private sector employment equity unit established in 1985 to develop employment equity responses that would encourage and promote employment equity in private sector workplaces, and the implementation and administration of the employment equity Change Agent Program. The Change Agent Program is designed to encourage innovative employment equity initiatives in the workplace, to refine implementation strategies and to provide role model examples to employers, unions and community organizations.

418. The *Police Services Act*, which will revise the existing *Police Act*, received Royal Assent on June 28, 1990 and full proclamation is expected soon. The Act's Statement of Principles includes "The need to ensure that police forces are representative of the communities they serve". Accordingly, the Act requires Ontario's police forces to establish mandatory employment equity policies, programs and implementation timetables for designated groups, including women. The Act includes a mechanism to hold chiefs of police liable for non-compliance.

419. The Ontario Provincial Police and other police forces have removed impediments to employment equity for women such as height, weight and age requirements and have conducted specific outreach recruiting targeting women.

420. Since 1985, Small Business Ontario has delivered programs to address the particular needs of women entrepreneurs. The "How to Start a Small Business" program has been successful in encouraging women to start businesses. A business expansion program for women has also been developed.

Article 5: Sex-role stereotyping and family education

421. In October 1988, sections 38 and 39 of the *Theatres Act* were proclaimed, making it mandatory for all distributors of videos to submit their videos to the Ontario Film Review Board for approval. The aim is to ensure that videos follow censorship and obscenity guidelines.

422. In September 1986, the Government of Ontario announced the launch of a five-year commitment to the Ontario Joint Family Violence Initiatives, the Government's co-ordinated response to wife assault. A total of $41 million was committed to this over five years. The Government has recently renewed its commitment to the Initiatives and has renamed them the "Wife Assault Prevention Initiatives" to reflect the gendered nature of family violence.

423. The Initiatives are co-ordinated by the interministerial committee on services related to wife battering, which is chaired by the Ontario Women's Directorate. Currently, programs and services are provided through the 12 ministries and agencies that sit on the interministerial committee. The goals for the Initiatives are: to reduce the incidence of wife assault in Ontario, to provide protection for victims of wife assault and family-focused support services, and to provide a co-ordinated network of comprehensive services which will effectively utilize community and government resources in dealing with wife assault.

424. Funding is provided for family-focused support services, including shelter, child support workers and community counselling programs. There are currently 81 shelters for assaulted women in the province. An additional 11 shelters were announced in June 1990 and are under development. In addition to this, a "Special Priority" policy was designed to provide priority access for assaulted women to the Ontario Housing Corporation and a portion of non-profit housing units.

425. Seven cultural interpreter programs are also funded under the Initiatives. The programs train and provide cultural interpreters to assaulted non-English speaking women to assist them in getting necessary shelter, social, legal and medical support services.

426. A study on violence against aboriginal women was published in January 1990 by the Ontario Native Women's Association and financed by 11 Ontario Government ministries. In response, the Government of Ontario made a commitment to develop an aboriginal family violence strategy in collaboration with the aboriginal community.

427. Family violence radio ads were developed in November 1990 to reflect more appropriate aboriginal cultural values and were translated into four indigenous languages. Additionally, an interministerial sub-committee on aboriginal family violence is in the early stages and is exploring a consultative model to develop a strategy for dealing with provincial aboriginal family violence.

428. In January 1990, the Ontario Government approved new funding in the amount of $28.8 million over five years for a co-ordinated long-term strategy to address the issue of sexual assault. Funds have been allocated in three areas: enhanced services to victims, improved justice response, and implementation of prevention/education strategies. However, in recognition of the priority of providing the needed support to women, over $2.4 million of the first five years of funding is allocated to the improvement of services to women. The initiative is based on an interministerial approach.

Article 7: Political and public life

429. In December 1988, a Judicial Appointments Advisory Committee was established as a three-year pilot project. The Committee's mandate is to develop and recommend comprehensive, sound, and useful criteria for selection of appointments to the judiciary, to ensure that the best candidates are considered, and to interview applicants and make recommendations. The Committee implemented a policy of advertising vacancies and seeking candidates who will reflect the diversity of Ontario's population. In addition to advertising, the Committee has contacted organizations and groups in touch with lawyers from sectors of society that in the past have not been well represented on the Provincial Court. Women's organizations are among those contacted.

430. When the Committee began, only ten (4 percent) of the provincial judges were women. The Committee has made 28 recommendations resulting in appointments. Nine of these (32 percent) have been women. Women represent 12 percent of the applicants.

431. The Judicial Appointments Advisory Committee itself is presently composed of ten members, three of whom are women. In November 1990, the Ontario Government announced its

intention to appoint an additional four women, thereby bringing the Committee's membership to fourteen and its female membership to seven.

432. Ontario's Legislative Assembly consists of 130 members (MPPs). In 1980, there were six female MPPs (out of 125 MPPs at that time) and two female cabinet ministers. In 1985, the number of women MPPs increased to nine while the number of women cabinet ministers remained at two. In 1990, 26 of the 130 MPPs were women. Of 26 cabinet ministers, 11 were women.

433. In 1990, 39 percent of school board trustees were women. Of 839 municipalities in the province, 91 were headed by women (compared to 54 in 1985) and 20 percent of municipal counsellors were women.

434. The position of deputy minister is the highest level an employee can achieve in the Ontario Public Service. In 1990, 6 out of 43 deputy ministers were women. Of 69 assistant deputy ministers, 20 were women.

435. In 1970-71, women represented 11.8 percent of all full-time university faculty. This figure is increasing slowly. In 1984-85, it was 16 percent, and in 1989-90, it had reached 20.2 percent, with women representing 36.6 percent of new full-time appointments in the year.

Article 10: Education

436. Within the college system, programs have been designed to encourage women to enter non-traditional occupations.

437. In 1988, a strategy was introduced to increase the number of women apprentices. Thirty demonstration projects were established across Ontario to provide outreach activities to women, unions and employers, and to redress attitudinal and informational barriers to female participation in apprenticeship. To date, these projects have reached over 5,000 women.

438. The School to Workplace Apprenticeship Program offers senior students the opportunity to be enroled in a secondary school program leading to an Ontario Secondary School Diploma and at the same time train as registered apprentices in skilled occupations. For the year 1990-91, 22 school boards are taking part with approximately 5,000 students participating.

439. The Summer Experience in the Trades Program increases awareness and participation in the skilled occupations for high school students. It provides a financial incentive of $1,000 to employers to hire and train students in trades-related summer jobs. The Program targets women, the disabled, indigenous people, francophones and visible minorities.

440. The Government has committed $2 million to provide over 80 grants in the fiscal year 1990-91, for the delivery of over 400 language and orientation programs for immigrants. Approximately 70 percent of the programs' clients are women. A number of programs perform a bridging function by preparing women for later enrolment in skills-training programs and job re-entry. Child care is available in over one quarter of the programs.

441. The Student Support Branch of the Ministry of Colleges and Universities administers the Ontario Special Bursary Program. This program provides financial assistance to lower income people to attend post-secondary institutions on a part-time basis. This program serves a large clientele of women, including single mothers.

442. As of September 1989, women made up 54 percent of the full-time, post-secondary students enrolled at Colleges of Applied Arts and Technology.

443. The undergraduate enrolment of women in universities has increased from 34.0 percent (full-time) and 41.4 percent (part-time) in 1968-69, to 51.1 percent (full-time) and 65.4 percent (part-time) in 1988-89. Female graduate enrolment has increased from 17.4 percent (full-time) and 17.9 percent (part-time) to 40.6 percent (full-time) and 49.3 percent (part-time) over the same period. Degrees awarded to women increased from 37.8 percent of Bachelor's and first professional degrees, 18.6 percent of Master's degrees, and 6.4 percent of Doctorates in 1968-69, to 55.0 percent, 45.5 percent and 32.8 percent respectively in 1988. In 1988, women constituted 43.1 percent of the graduating class in commerce, 27.3 percent in dentistry, 10.6 percent in engineering, 42.4 percent in law, 39.9 percent in medicine, 68.6 percent in pharmacy and 59.3 percent in veterinary medicine. In the 1989-90 academic year, there were 16 Women's Studies Programs in Ontario universities.

Article 11: Employment

444. See also responses to articles 2, 3 and 4.1.

445. In Ontario, 61.3 percent of women over the age of 15 are in the labour force.

446. In 1989, women made up nearly 45 percent of Ontario's total labour force.

447. In 1988, Ontario women who worked full-time, year-round, earned on average only 64.8 percent as much as men who worked the same time.

Article 11.1(*a*): The right to work

448. Since 1987, the funding for fee subsidies for child care to families has increased from $149.2 million to $256.9 million, resulting in an increase in the number of subsidized spaces from 32,000 in 1987 to 45,000 in 1990. An additional $14 million in child care subsidies is available under the "Employment Opportunities" initiative to enable women on social assistance to participate in job training programs and to seek employment.

449. The Supports to Employment Program (STEP) was introduced in 1989. This program aims to remove financial barriers to employment and provides financial incentives to take training.

450. The Government of Ontario is committed to developing and implementing strategies to successfully integrate family and work responsibilities. In November 1988, Cabinet adopted the Strategy on Work and Family Responsibilities. The Strategy's goals are to develop workplace strategies within the Ontario Public Service, develop policies and programs that reflect the needs

of dual-earner families and sole support families, conduct research, and promote public understanding of work and family issues.

451. Leave provisions in the *Employment Standards Act* are currently under review, with a view to assisting workers to fulfil family responsibilities.

Article 11 - 1(*b*) and 1(*c*): Employment opportunities -- training

452. See responses to articles 4.1 and 10.

Article 11.1(*d*)

453. The *Pay Equity Act* became effective in January 1988. The Act requires: that all female-predominated jobs in an establishment be evaluated according to skill, effort, responsibility and working conditions; that attempts be made to find male-predominated jobs of equal value; and that they be paid the same.

454. The Act covers all women in Ontario except those who work in establishments where there are fewer than 10 employees.

Article 11.1(*e*): Pensions and income support

455. The Ontario Government appointed the Social Assistance Review Committee to undertake a comprehensive review of the social assistance system in Ontario.

456. The report of this committee, titled *Transitions*, was released in September 1988. Some of the recommendations have been implemented and the Government is reviewing its response to the report as a whole.

457. The *Pension Benefits Act* introduced a series of pension reforms which will enhance income security for women during retirement. The Act eliminated employment pension differentials based on sex. The Act provides statutory eligibility rights for part-time workers, enhanced portability rights, and two-year vesting. These provisions will assist in preserving pension membership for women who may have interrupted working patterns as a result of child care responsibilities. New requirements for the provision of pre-retirement and post-retirement survivor benefits will also facilitate more employment pension benefits being delivered to spouses and beneficiaries, many of whom are women.

458. In 1987, 46.2 percent of males and 32.8 percent of females in the Ontario workforce were covered by pensions.

459. The Pension Commission of Ontario is developing a series of brochures and a public education campaign aimed at increasing awareness of the need for retirement income planning within ethnocultural communities and the general population. The project will place particular emphasis on addressing the information needs of women in these communities.

Article 11.1(*f*): Working conditions

460. The Ontario Government has stated its intention to amend the *Employment Standards Act*, including a proposal to increase the minimum wage to sixty percent of the average industrial wage over time.

461. The Ontario *Human Rights Code, 1981* protects employees from harassment in the work place because of sex. Sexual solicitation "by a person in a position to confer, grant or deny a benefit or advancement" is also prohibited.

Article 11 - 2(*a*) and 2(*b*): Maternity leave

462. The Government has announced its intention to table legislation to enhance maternity benefits. The legislation will provide for unpaid leave of up to 35 weeks to mothers and of up to 18 weeks to fathers, with the right to return to their jobs. This legislation includes adoptive parents.

Article 11.2(*c*): Child care

463. See also article 11.1(*a*).

464. Since 1987, funding to promote the growth of new child care services and introduce initiatives has increased to $335 million, a growth of 140 percent. There are more than 107,000 licensed child care centre spaces in Ontario compared with just over 85,000 in 1987. In addition, over 180 child care resource centres receive funding to provide consultation, support and referral for parents who need child care and for home caregivers. Private home day care has increased more than 14 percent since 1987 to cover 11,700 children in 1990.

465. Significant emphasis has been placed on developing workplace-related child care services. As a result, Ontario now has 93 workplace-related sites with a capacity of over 4,000 spaces.

Article 12: Health

466. In 1987, the Ministry of Health established the Women's Health Bureau, to provide a comprehensive, co-ordinated approach to women's health policy issues.

467. Women's health initiatives have been promoted through grant programs. Developmental grants are available for non-profit groups who wish to develop plans to start a women's health centre, and nine health promotion grants were awarded to programs targeted specifically to women.

468. Since 1987, the Ministry has funded four women's health centres which provide a wide range of health care services which are sensitive to women's unique needs. Such services include counselling on reproductive health issues, family planning, mental health services and abortion services.

469. The Minister of Health announced, in 1986, the Government's intention that midwives would be established as a recognized part of Ontario's health care system and become a self-regulated profession in Ontario. An interim Regulatory Council was appointed in June 1988 to prepare for the future statutory College of Midwives.

470. In 1989, maternal and newborn care was identified by the Ontario Government as an area of priority. More than $2 million was committed to fund a number of innovative programs which will ensure a comprehensive care network for mothers and babies.

471. Also in 1989, the Ministry of Health announced a province-wide breast cancer screening program for women aged 50-64 years. Components of the program include health promotion and community development, mammography and physical examination.

472. There are currently 80 family planning clinics in Ontario. All but 2 of the 43 public health units have clinics and all health units offer childbirth education classes. These units have received funding to expand community outreach programs and clinical services. The family planning pamphlets have been translated in five languages in addition to French and English. The Ontario Women's Directorate family planning initiatives include a series of videos/films in French and English on family planning and sexuality for school and community use.

473. The Ontario Government has announced its intention to increase women's access to safe, legal abortions. Preliminary measures announced are to speed up the licensing of freestanding abortion clinics, to extend travel grants to cover women from northern communities who must travel to seek an abortion, and to consult with women's groups, provider groups, and community groups to find new ways of improving access.

474. As previously mentioned, in March 1990, the Ontario Government announced a co-ordinated initiative to address the issue of sexual assault of women. In addition to the $28.8 million budget for the initiative, the Ministry of Health allocated $3 million for community-based sexual assault counselling services and sexual assault services in hospitals.

Article 13: Family benefits, credit and sports

475. See article 5.

Article 14: Rural women

476. The Ministry of Agriculture and Food continues to develop programs in response to the 1984 report entitled *Women in Rural Life: The Changing Scene*. Responsible ministries were made aware of the needs of rural women, such as the shortage of mental health and family counselling services in rural areas. The Ministry has acted on recommendations in the report to examine the traditional delivery system for educational programs and advisory services. The Ministry has also extended its outreach to farm families and considers the location, occupations and average work week of women clients when scheduling programs.

477. Pilot child care projects have been established in rural areas and successful programs are in operation. An interministerial committee is in place to review the flexibility of criteria to make them more appropriate for rural concerns.

478. Specific programs for farm women have been developed, including leadership and farm business management courses.

479. The communications branch of the Ministry of Agriculture and Food has prepared exhibits showing farm women in innovative or non-traditional roles and has removed sexist language from publications.

480. Funding has been provided to accelerate the formation of the Ontario Farm Women's Network in 1988 and for conferences in 1989 and 1990. The primary emphasis is on senior women. A series of conferences on Women and Aging, which focused on the concerns of rural women, were recently held in smaller communities across the province in order to identify the concerns of senior women in these areas.

Article 15

481. In 1988, the Ministry of Correctional Services struck a Committee on Women in Conflict with the Law to review the needs of female offenders, and to develop programs and services to identify and meet needs and address emerging or existing issues. The Committee is in the process of developing a policy initiative to ensure that female adult and young offenders have access to ministry resources and programs on an equal basis with male offenders.

482. Effective November 1, 1989, the definition of "spouse" for social assistance purposes was changed to provide for consistency with the *Family Law Act*. The major effect of this change is that single parents can reside with an adult of the opposite sex and remain eligible for social assistance until they are legally entitled to be supported by the person with whom they live. Case workers are no longer permitted to investigate the personal lives of recipients. Previously, social assistance benefits could be terminated if a single parent had a conjugal relationship with an unrelated person of the opposite sex even though that person may have been providing no financial support to the single parent or her children. The old rules had a disproportionate impact on women, who comprise the great majority of single parents receiving social assistance.

483. The Ministry of the Attorney General has issued a series of guidelines and directives to crown attorneys about the prosecution of wife assault. This is part of an on-going effort to ensure that wife assault is treated as the serious crime it is, and not minimized or dismissed. Police have been directed to lay charges whenever they have reasonable and probable grounds to do so (rather than leaving it to the victim to press charges). Crown attorneys have been directed to interview victims prior to the date of the trial and to prosecute these cases vigorously.

484. The Ministry of the Attorney General has established a Domestic Assault Prosecutor Program. Under the Program, a designated Crown attorney from each office receives special training in wife assault cases. The Ministry has also established the Victim Witness Program, a court-based support service to victims and witnesses of wife assault and sexual assault. Twelve sites are currently funded.

Article 16: Family relations

485. The Support and Custody Orders Enforcement (SCOE) program began on July 2, 1987. The program monitors and enforces court orders for child and spousal support as well as provisions for support included in domestic contracts.

486. All support orders made by an Ontario court after July 2, 1987 are automatically filed with the program. Support orders made before that date, domestic contracts and custody orders are filed voluntarily where monitoring and/or enforcement are sought. On behalf of the creditor, the program may pursue one or more enforcement options, including garnishment of wages, sheriff seizure and sale, and requiring the debtor to attend court to explain his default.

487. Amendments to the legislation establishing SCOE were recently tabled. These amendments, if passed, would provide for automatic deductions from pay cheques for payment of support orders.

488. As of the end of August 1990, there were 77,408 support cases filed with the SCOE office. Approximately 77 percent of the orders and agreements filed with the program are in default to some degree.

489. Under the *Change of Name Act, 1986*, a change of surname upon marriage was noted on the person's birth record and a new birth certificate was issued in the name as changed. In 1988, the Government commenced issuing "dual name" birth certificates to any spouse who files an election to change her or his name on marriage. The certificate now shows the person's married name as well as the birth name.

7. MANITOBA

Article 2

490. On March 8, 1990, the Government of Manitoba issued *A Statement of Government Policy on the Status of Women in Manitoba.* That statement articulated eight fundamental principles that will form the basis of government actions and programs affecting the status of women in Manitoba:

- Abuse of women is unacceptable in Manitoba. Family violence is a crime.

- Discrimination against women, on the basis of their sex, is unacceptable in Manitoba.

- Government and the community share a responsibility to provide protection and security for those who were, in the past, denied the opportunity to become secure and independent.

- Women should enjoy equal access to a full range of career options and choices within the Manitoba economy.

- Women ought, as a matter of right, to enjoy equal access to and equal treatment within education at all levels.

- Terms and conditions of employment and of participation in education should recognize the responsibilities for child rearing that parents share in Manitoba.

- Women should have access to enhanced participation in decision-making both to ensure that women's viewpoints are taken into account and to ensure that the community as a whole can benefit from the abilities, wisdom and insight that women can contribute at a decision-making level.

- Government efforts to achieve the goals of this policy will be most effective if they are carried out in partnership with individual women and women's groups throughout Manitoba.

491. In 1987, the Government of Manitoba introduced new human rights legislation. New provisions include specific prohibitions against systemic discrimination, failure to reasonably accommodate special needs, harassment, and discrimination based on, among other things, pregnancy and other gender-determined characteristics. Complainants will benefit from the availability of stronger remedies and sanctions for substantiated contraventions of the Code.

492. Of the 10 prohibited grounds of discrimination specified in the Manitoba *Human Rights Code* (ie. ancestry, national/ethnic origin, marital/family status, disability, sex, age, religion, political belief, source of income and sexual orientation), sex discrimination was the second most

frequently filed with the Commission in 1989, comprising 26 percent of all formal complaints. (Disability was the most frequently cited ground at 28 percent.) This percentage has remained relatively constant over the past four years. (In 1986, sex discrimination was cited in 27 percent of complaints, compared with 20 percent in 1987 and 21 percent in 1988.) In 1989, 36 percent (27 cases) of sex discrimination complaints were allegations of sexual harassment, 24 of females by males, 3 of males by females.

493. In May, 1989, the Supreme Court of Canada rendered its much awaited decision in two Manitoba cases. In *Govereau and Janzen v. Platy Enterprises*, the Supreme Court reversed the decision of the Manitoba Court of Appeal and reaffirmed that sexual harassment was a form of sex discrimination. Similarly, in *Brooks et al. v. Canada Safeway Limited*, the Supreme Court concluded that discrimination based on pregnancy was a form of sex discrimination, in this case reversing its own earlier position.

494. The Manitoba Human Rights Commission's role with respect to affirmative action and other special programs has been significantly affected by the new legislation. The new provisions are framed in the language of the *Canadian Charter of Rights and Freedoms* and declare that such programs do not constitute illegal discrimination. Written approval by the Commission is, therefore, no longer required to bring such programs into compliance with the legislation.

495. In September, 1990, Manitoba established Canada's first specialized court to deal with all criminal charges relating to domestic abuse and child sexual assault. The Court is staffed by three Crown prosecutors who will receive special training and will specialize in this field. Judges will also receive special training. It is anticipated that this program will have some impact on addressing the problem of violence against women in this society. Training in dealing with family violence situations is also being provided to native band constables, community constables and city of Winnipeg police. In addition, a social worker has been provided to assist child victims of sexual and physical abuse and to prepare them for court proceedings.

496. A policy has been established by the Manitoba Department of Justice for monitoring sentences in domestic assault cases and launching appeals for sentences felt to be inappropriate.

497. A policy has been introduced to eliminate sexual harassment within the Manitoba Civil Service. A training course to support the introduction of the new policy has also been developed.

498. The Manitoba Association of Women and the Law has been funded by Manitoba Justice to conduct research entitled "Gender Equality and the Law". The first report, released in March 1989, covered treatment of women as lawyers and law students. It also reported on the treatment of women in matters of family law and personal injury damages. The second part of this research will examine women as victims in the criminal justice system.

Article 3

499. To facilitate the full development and advancement of women in Manitoba, an interdepartmental committee on women's issues has been formed to monitor the effectiveness of

government services and programs for women. In addition, the Status of Women portfolio was accorded independent status in 1989/90.

500. Family dispute programs funded by the Province include (1) a Women's Advocacy Program, (2) Family Conciliation Services and (3) Women's Resource Centres.

(1) Women's Advocacy Program

501. In 1986, the Women's Advocacy Program was established to provide legal information, referral, crisis counselling and short-term follow-up to victims of spousal assault whose spouses have been criminally charged with assault.

(2) Family Conciliation Services

502. During 1987/88, the Family Conciliation Program was expanded beyond the city of Winnipeg to include services in Brandon. Services include provision of information and referral, counselling, mediation, court-ordered assessments and reports, reciprocal enforcement of maintenance orders, and group programs for child and parents related to family break-up. In 1989, 2050 families used its services (excluding rural expansion).

(3) Women's Resource Centres

503. In 1986, two Women's Resource Centres were established in Winnipeg, funded by the Province. These centres provide information, programs and services, and training to assist women in making informed choices in their lives. They also provide an advocacy function concerning social, economic, and legal reform issues affecting women. Two more centres have been funded since 1988.

504. Family violence services include 23 community-based agencies throughout the province. Services in Winnipeg include second-stage housing, groups for victims of abuse, aboriginal women's groups, and long-term counselling for individuals with alcohol and drug problems. Throughout the province, services include crisis accommodation, counselling, public education, and crisis telephone lines. In the 1989/90 fiscal year, it is estimated that 2300 women sought shelter.

505. Other recent expansions to Manitoba's family violence services include:

- Funding to Ikwe-Widdjiitiwin, the first wife abuse shelter for native women in Manitoba;

- Funding for two provincial crisis lines for victims of family violence;

- A new funding formula, including increases in per diem rates paid by the Social Allowances Program to all shelters in support of residential services for domestic assault victims and their children, including an added 5 percent northern allowance for the per diems and support grants to facilities in the north.

506. Data are being collected at the Portage Correctional Institute on the percentage of sentenced female prisoners who have been abused, in recognition of the relevance of this issue to women prisoners.

507. The 1986 Census of Canada notes that, of the 33,800 single parent families in Manitoba, 27,960 (82.7 percent) were led by women. As of January 1, 1990, single parents in financial need now have immediate access to Manitoba's provincial Social Allowances Program. They no longer are required to depend upon municipal social assistance during the first 90 days of separation or desertion. This new policy provides a more streamlined response and generally higher benefits. As well, in 1989, social assistance regulations were amended to exempt the earnings of a child in full time attendance at school from the calculation of social allowances benefits for the family. Legal Aid representation has now been made available to those who receive Social Assistance and who are seeking orders for maintenance.

Article 4

508. The new Executive Development Program for women in the Manitoba Civil Service aims to increase the number of women in senior management, which in 1990 is 15.3 percent of the Manitoba Government senior management job category. The Program will be available to approximately 250 women.

509. Significant progress has been made for women within the Civil Service in the past year. In 1989/90, 48 percent of the Civil Service workforce were women. Also during that year: 68 percent of all new appointments were women; 58 percent of all bulletined competitions were filled by women; 61 percent of all promotions within the Civil Service went to women.

Article 5

510. A multi-media public awareness campaign called "Abuse is a Crime" was launched in 1990.

511. Workshops for the encouragement of gender-neutral language have taken place for members of the Legislative Assembly of all parties. Similar workshops were held throughout the Civil Service in 1989.

Article 6

512. The Department of Justice brought forward the "Prostitution Reference" (*Reference re Criminal Code, ss. 193 and 195.1(1)(c)*, [1990] 4 W.W.R. 481 (S.C.C.)), in which the Supreme Court of Canada upheld the validity of the *Criminal Code* provisions relating to communication for the purposes of prostitution.

Article 7

513. The Manitoba Task Force on Meech Lake held public hearings in various locations throughout Manitoba to hear the opinions of Manitobans on the Meech Lake Constitutional Accord. The report recommended significant changes to the Accord and, in particular, recognized the concern expressed by women that it did not entrench the Charter of Rights.

514. Women constituted 41 percent of the appointments made on boards and commissions in Manitoba in the spring of 1989. The first woman was appointed to the Manitoba Court of Appeal in 1989. Two more women were appointed to sit in the Court of Queen's Bench, bringing the total number to four (12 percent). An additional woman was also appointed to Provincial Judges Court during the same year, bringing that total to four as well (11 percent). In addition, two (40 percent) of the five members of the panel of adjudicators created by the 1987 *Human Rights Code* are women.

Article 10

515. In 1989, the Manitoba Human Rights Commission completed *Human Rights in the School: Guidelines for Educators, Students, Parents and other School Participants.* The guidebook is designed to assist educators and others in assessing the extent to which a school's management practices respect human rights principles. One subsection of the guidebook addresses the issue of gender equality. Nine schools will pilot the guidebook over the 1990/91 school year. It is expected that a final version of the guidebook will be available in the fall of 1991.

516. An updated version of the Manitoba Human Rights Commission's previously published *Inventory of Human Rights Teaching Materials/ Répertoire du Matériel Pédagogique Relatif aux Droits de la Personne* was completed in 1989. Included is a listing of teacher resources contained in the main teaching libraries on the topic of discrimination on the basis of sex/gender.

517. In order to increase awareness of math, science and non-traditional career options and requirements, *Participation of Girls and Women in Mathematics, Science and Technology*, a paper prepared by Status of Women Canada and the Manitoba Women's Directorate, has been widely distributed and used as a basis for encouraging girls and women to continue math and science studies. Work is underway on a video tape series about Women in Science and Non-traditional Careers.

518. A number of curriculum documents have been developed by Manitoba Education and Training in the home economics/family life and health education curriculum area, which reflect gender equity, elimination of bias and promotion of female participation. The language of these curricula is gender-neutral. All forms of discrimination against women have been eliminated.

519. An attempt has been made in the senior high art program to acknowledge women artists. In the area of guidance and counselling, a teacher's guide, *Violence Begins at Home*, which focuses on the issue of wife abuse, has been developed.

520. Although not a curricular area, the Women's Studies mandate has included the development of resource materials to be used in other parts of the program. These include: *Big Boys Don't Cry - Combatting Sexual Stereotyping*, a resource for middle years teachers to promote discussion of sexual stereotyping through drama and role-playing; *Positive Images of Women*, third edition, a bibliography of non-print resources that explore the role of women in society, to be used to provide a more balanced portrayal of women's contributions and concerns than many textbooks allow.

521. Forty-three percent of community college enrolments in 1989/90 were women. In January 1990, a sexual harassment policy was implemented to address incidents of sexual harassment involving post-secondary students. Furthermore, gender-inclusiveness guidelines are currently being piloted within Red River Community College to ensure that all community college publications, learning materials, and evaluation procedures and materials are free from sexist language and sex-stereotyping. Where learning materials are valuable, since their specific course content cannot be replaced, and yet include sexist language or portrayals, attention is focused on the bias to create a new gender-inclusiveness awareness in the classroom.

522. Red River Community College established a Women's Programs Department in September 1988. The Department Head operates in an advocacy and support role to female students and is involved in community liaison regarding women's programs. Of prime importance is speaking to junior and senior high female students and encouraging them to enter engineering technologies.

523. Keewatin Community College established a Women's Advisory Committee in March 1990, to advise the College on matters affecting women. The College's Women's Programs department provides community liaison and outreach services to Northern Manitoba and offers courses and programs to women in a variety of business, trades, and technology courses and personal and community development programs.

524. Assiniboine Community College offers several programs which address the issue of women in the workplace. The Career Opportunities in Preparation for Employment (COPE) assists single parents in entering/re-entering the workforce. Bridging for Rural Women, designed to prepare rural/farm women for entry/re-entry into the world of school or work, was piloted in 1990. The Agricultural Equipment Operation for Women and Basic Maintenance of Farm Equipment subjects are designed to increase the skills of women in the area of equipment operation and maintenance on the farm. In 1988/89, the College offered a Women in Trades program. Another program, Entrepreneurial Skills for Women, was offered in 1988/89 and 1989/90.

525. The Student Financial Assistance Branch of the Province administers the Special Opportunity for Social Allowance Recipients (SOSAR) Program, which is a debt-free, income-support program to assist social assistance recipients in pursuing post-secondary educational opportunities.

526. Manitoba has a special program, in existence since 1987/88, called Community-Based Language Training, which has addressed specifically the needs of working immigrant women who cannot receive language training at their workplace. Programs delivered have included English for Telephone Skills, and English for the Learner Drivers' Permit.

Article 11

527. Pay Equity has been fully implemented within the Civil Service, universities and Crown corporations. Consultation with school divisions and municipalities is under way.

528. An external audit of Manitoba's Civil Service classification system, recruitment and selection practices has been undertaken. The purpose of the audit is to improve equal

opportunities within the Civil Service and determine whether systemic barriers against women and other groups are prevalent in the employment system.

529. In response to the demands of a changing workforce, a policy of job sharing and alternative work arrangements has been developed to increase the range of options available to civil servants.

530. Women's Entrepreneurial Initiatives is a program designed to promote entrepreneurship as an economic alternative for women. Originated in 1987, it is part of the Business Resource Centre which supports it with other informational, counselling and training services. The program comprises several activities including the publication *Of Interest to Women*, a directory of programs and services which was published (10,000 copies) in 1988, with a second edition (20,000 copies) in 1990. The program has provided financial and technical support for reports, conferences, workshops and seminars (eg. for Women Business Owners of Manitoba), and Business Women's Week (October, 1990).

531. Manitoba Business Start, a loan-guarantee program for individuals starting new businesses, is geared primarily toward women and rural Manitobans. The program was launched in March 1990. The applicant's cash equity contribution is matched dollar-for-dollar, up to $10,000. Loans have a five-year term and an interest rate of prime plus one percent.

532. The Women and Apprenticeship Advisory Committee has been established to identify barriers to trades employment and training. It also allows for ongoing input into branch policies affecting methods of recruiting women into the trades. The role of the Women's Counsellor at the Apprenticeship Branch has been expanded to a full time position. The counsellor serves as a resource and support to women apprentices in Manitoba and works proactively to eliminate barriers that limit the participation of women in the trades.

533. Joint federal/provincial funding has been provided for the Women's Business Owners of Manitoba to conduct a feasibility study for the establishment of a "Women's Enterprise Centre". An interdepartmental committee has been struck to study the feasibility of pensions for part-time workers.

534. The Single Parent Job Access Program, jointly funded under the Canada/Manitoba Agreement on Employability Enhancement for Social Allowance Recipients, provides a comprehensive range of assessment, training and employment supports for single parents in receipt of social allowances. Piloted in Winnipeg and Brandon in 1986/87, it is now available through the seven Human Resource Opportunity Centres across the province. It is expected that 640 single mothers will be in this program in 1990.

535. Since 1987, Immigration and Settlement Branch services have included direct assistance to immigrant women in gaining access to employment and training and review of child day care issues affecting immigrant women and families.

536. In 1988/89, a Flexible Subsidy Program made subsidies available for eligible children enrolled in non-funded day care centres, as well as for children in provincially-funded centres. In that fiscal year, six new day care centres, designed as attachments to new schools, were opened. A number of rural projects were initiated including an increase in the number of Family Day Care

Homes, extended service hours, and services that recognized the seasonal nature of employment patterns in some areas of the province. Also in this year, support for children with disabilities in the child care system increased two-fold to accommodate 300 children.

537. In 1989, the Manitoba Child Care Task Force submitted its report with 204 recommendations. The Province subsequently announced its Child Care Strategy which included 345 additional spaces in day care homes and non-profit centres. Approximately 6,500 subsidized spaces were funded by the Province in 1989/90. Other 1989/90 enhancements included:

- Increased salary enhancement grants, and extension of these grants to non-profit centres that do not receive other provincial grants;

- Increased start-up grants for newly-funded day care homes;

- One-time equipment grants per licensed space were made available to non-funded, non-profit centres and homes;

- A 13-member Advisory Committee on Child Care was appointed as part of the overall strategy to bring Manitoba's child care system into the 1990s.

538. The following child care facilities and spaces operate in Manitoba:

Provincially-funded Child Day Care Centres and Homes, 1988-1990

	# of Facilities	# of Spaces
1988/89	635	11,505
1989/90	628	11,761

Unfunded Non-Profit and Private Centre/Homes, 1988-1990

	# of Facilities	# of Spaces
1988/89	278	5,134
1989/90	329	5,485

Article 12

539. In 1986, the Alcoholism Foundation of Manitoba developed a policy on service delivery for women. The policy states in part that: "... A range of services shall be provided that are sensitive and responsive to women's needs; that encourage independence; and that are delivered in a manner that respects the dignity of individual women; and shall be developed on the basis of demonstrated need within resource allocations." As a result of this policy "women specific" content has been included in programs throughout the province on alcohol and drug abuse and the option for women to attend female-only treatment groups has been introduced. In the past, all groups were mixed.

540. In the area of program development, Manitoba Health has introduced the following:

- The establishment of a Women's Health Directorate as the formal responsibility centre to facilitate co-ordinated planning and policy development respecting a range of health issues affecting women;

- The development of a booklet on menopause as the first of a series of health education material entitled *Women and Well Being*, the development of promotional material to support cervical cancer screening, and a breastfeeding booklet;

- The establishment of a position in which one of the responsibilities is to co-ordinate and develop programs and policy for women's mental health;

- The completion of the first of a three-phase program to establish a cervical cancer registry;

- The establishment of a Pregnancy Induced Hypertension Program (P.I.H.) which provides home nursing monitoring for pregnant women with hypertension;

- The initial funding to Planned Parenthood Manitoba for a women's immigrant/ refugee health project;

- There have been several conferences sponsored in part by Manitoba Health on Women and Aging, Women and Addiction and Women and Aids.

541. Since 1987/88, the Immigration and Settlement Branch (with Manitoba Family Services as of April 1989) has been involved in a variety of initiatives for immigrant women, including grant support for the development of multilingual prenatal programs for expectant mothers and resource assistance to support the delivery of cross-cultural reproductive health education to immigrant women and their families.

Article 14

542. The Manitoba Women's Directorate has established outreach offices in Portage la Prairie and The Pas. In 1988/89, funds were made available to start up the first Northern Women's Resource Centre.

543. As of September 1989, the unified court system, consisting of Family Division of the Court of Queen's Bench, was expanded to eight major centres in rural areas. This means family disputes are dealt with by court personnel who are specialized and knowledgeable in this highly sensitive area. As well, the Family Conciliation Program has been expanded to two major rural centres. This is of direct benefit to custodial parents, many of whom are women, as well as all family members concerned.

544. Fax machines have been installed in rural court offices. A primary concern which prompted this move was to provide the ability to transmit restraining order applications to Winnipeg where they can be handled on an emergency, 24-hour basis.

Article 16

545. Amendments were recently made to a number of provincial statutes. These amendments were designed to make Manitoba's property laws fairer and more effective. *The Marital Property Act*, for example, now permits a judge to make an interim equalization payment, or other interim order, pending disposition of the application for equalization. *The Family Maintenance Act* now provides, amongst other things, a Maintenance Enforcement Court to order imprisonment, on an intermittent basis, for failure to comply with the terms of a support order. *The Reciprocal Enforcement of Maintenance Act* has been amended to include several new reciprocal enforcement agreements.

8. SASKATCHEWAN

546. This submission will update to October 1990, the information contained in Saskatchewan's submission to Canada's Second Report on the Convention.

Article 2: Legislation

547. The following paragraphs describe the new and amended legislation relevant to the Convention enacted since Canada's Second Report.

- *The Dependants' Relief Amendment Act, 1990* adds common law spouses to the list of dependants who can make an application under the Act. The minimum allowance which could be awarded to a spouse by the court has been removed.

- *The Intestate Succession Amendment Act, 1990* increases the preferential share for the surviving spouse from $40,000 to $100,000 for intestates who die on or after the date that the Act came into force, June 22, 1990.

- *The Family Maintenance Act* provides one set of maintenance provisions for children and spouses. A maintenance obligation is established between common law spouses who have lived together for at least three years or in a relationship of some permanence and are the parents of a child. A maintenance obligation for the mother of a child by the father is retained, in terms similar to those in *The Children of Unmarried Parents Act*, which has been repealed.

- *The Equality of Status of Married Persons Act* provides that a married person has legal capacity for all purposes and in all respects as if that person were an unmarried person. It also provides for an action in tort against the other spouse as if the two individuals were not married. There are now identical rules for determining domicile for a married man and a married women, a husband or wife can no longer pledge the credit of the other spouse, and no action may be brought on certain grounds including loss of consortium of a spouse.

- *The Homesteads Act, 1989* extends homestead protection to both spouses who are non-owners of their homestead. Previously, this protection was available solely to wives.

- *The Women's Affairs Act* creates a Cabinet portfolio for matters related to the status of women and charges the Minister with the responsibility to develop mechanisms for the integration of women's concerns into the government's decision-making process, to co-ordinate policies, programs and activities of the government relating to the status of women, to make recommendations with respect to matters affecting the status of women, and to provide any appropriate assistance for improving the status of women in our province.

- *The Saskatchewan Human Rights Code* continues to protect women from discrimination on the basis of sex in the workplace, in housing, in the purchase of property, in the provision of public services, in educational institutions, in contracts and in professional trade associations. This includes protection from sexual harassment and protection from discrimination on the basis of pregnancy and pregnancy-related illness. The Code also provides protection from the publication or broadcast of representations that would expose women to a serious affront to their dignity. In addition, the Code prohibits discrimination on the basis of race, creed, religion, colour, marital status, disability, age, nationality, ancestry or place of origin.

Article 3: Political, social, economic and cultural fields

548. In 1989, the Women's Secretariat was established as a separate agency. The Secretariat previously operated as the Women's Directorate, within the Department of Human Resources, Labour and Employment. The Secretariat works with government departments and agencies to ensure that women's concerns are incorporated into government planning and policy development, and is actively involved in research support, public awareness and programs and activities related to the status of women. The staff of the Secretariat prepares for its advisory role by extensive consultation with Saskatchewan's women's organizations, attendance at provincial conferences and review of current research.

549. The primary role of the Secretariat is that of co-ordination, consultation and interdepartmental liaison. In 1990, the Secretariat participated on interdepartmental committees in areas such as family policy, family violence, child sexual abuse, balancing work and family responsibilities, income security for seniors, women in the criminal justice system and career education. A member of the Secretariat sat on the working group of "Consensus Saskatchewan", a citizens' advisory body which held public meetings in the summer of 1990.

Article 4: Affirmative action

550. *The Saskatchewan Human Rights Code* provides that the Saskatchewan Human Rights Commission may approve or order programs designed to prevent, eliminate or reduce disadvantages suffered by persons based upon or related to race, creed, religion, colour, sex, marital status, disability, age, nationality, ancestry or place of origin. The Commission's programs currently target women, persons with disabilities and persons of aboriginal descent. The Commission is currently supervising 11 programs in the work place, affecting 23,000 workers, or 5 percent of the workforce, and six programs in training institutions.

551. The Bridging Program for Women, a federally-funded program offered through the Saskatchewan Institute of Applied Science and Technology, is designed to assist women in overcoming barriers to training and employment. Initiated in 1985, the Program provides counselling, skills training, academic upgrading and financial support for women seeking entry into the labour force or further training.

Article 5

552. In 1987, the Department of Economic Diversification and Trade sponsored "Women in Business" conferences, held in various locations throughout the province. Similar conferences were held in 1988 in the cities of Regina and Saskatoon. The Department has continued to encourage development of entrepreneurial skills, but the programs are not targeted exclusively to women.

553. Addressing the problem of family violence has been a priority in the Department of Social Services in recent years. The Department has endeavoured to raise awareness in the community and change attitudes towards this problem. Funding for family violence services has increased 124 percent since 1981-82. Non-governmental agencies, through contracts with the Department of Social Services, provide family violence services to women including preventative measures, counselling, crisis intervention and short-term residential services. The following table outlines a comparison of government expenditures in 1981-82 and 1989-90:

	1981/82		1989/90	
	No. of agencies	Grants	No. of agencies	Grants
Family shelters	6	$910,190	7	$1,813,990
Safe shelters	0	---	3	403,890
Sexual assault centres	3	114,370	4	221,160
Mobile crisis units	3	657,360	3	857,220
Family Support Centre	0	---	1	680,000
Family Violence Services (rural crisis lines, support programs, counsellors, etc.)	0	---	7	339,940
TOTAL	**12**	**$1,681,920**	**25**	**$4,316,200**

Article 7: Political and public life

554. The Saskatchewan Women's Advisory Council, a group of private citizens appointed by the provincial government, has provided government with input and recommendations on issues related to the status of women. The Women's Secretariat regularly provides administrative and research support to the Council on a number of issues. Most recently, the Secretariat assisted with the development of a brochure encouraging the participation of women on government boards, councils and commissions.

555. As part of the government's ongoing commitment to employment fairness initiatives, the Women's Secretariat organizes a noon hour luncheon series, featuring guest speakers on issues of interest to women in government.

Article 10: Education

K-12 Gender Equity Policy

556. Saskatchewan's Department of Education is currently finalizing its Gender Equity Policy for the Kindergarten to Grade 12 system. Developed in consultation with an interagency advisory committee, the policy will address all major aspects of the education system: curriculum, major instruction and assessment practices, school environment, student development including career counselling, and community involvement. It is proposed that gender equity be considered an integral component of the province's new core curriculum.

557. Gender equity is defined as: the provision of equality of opportunity and the realization of equality of results for all students based on individual aptitudes, abilities and interests, regardless of gender. The Gender Equity Policy grew out of a recognition that gender bias limits individuals' personal growth and career opportunities, and restricts the social and economic contributions of persons of both genders.

558. The principles which inform the Gender Equity Policy are as follows:

- Students have a right to a gender-equitable learning environment.

- Students, in consultation with their families, have a right to make individual decisions about the roles, programs of study and careers that are appropriate for them. The school can make students aware of the many, varied options available.

- Attitudes and behaviours which contribute to gender equity are learned and therefore can be taught to both students and teachers.

- Female and male students have had different experiences in school and in society and thus may have different ways of learning. A gender-equitable educational system respects equally all ways of learning.

- Achieving gender equity will require the examination of all aspects of the school environment and may necessitate change in many of them.

- Language influences the way in which people understand and interpret the world around them. Therefore, language which includes both genders and gives them equal status is important to achieving gender equity.

- It is important that teachers have the skills and attitudes necessary to create gender-equitable classrooms.

- Teachers, administrators and other school staff are very powerful role models.

- Achieving gender equity is an ongoing task that will require effort and energy over the years.

- Achieving gender equity will require co-operation between students, teachers, educational organizations and communities.

Post-secondary system

559. The Saskatchewan Institute of Applied Science and Technology (SIAST), the province's technical institute, has established an education equity plan to increase the participation of persons of native ancestry, persons with disabilities and women in non-traditional program areas such as the trades and technologies. In addition, the provincial apprenticeship program is currently undertaking initiatives to raise awareness within the designated trades of the need to increase the participation of these three target groups.

560. The universities of Regina and Saskatchewan are developing employment equity plans to increase the number of female employees in non-traditional occupations.

561. The Saskatchewan Skills Development Program provides training opportunities for persons receiving social assistance. Approximately two-thirds of the participants are women.

562. The special incentive plan of the Saskatchewan Student Loans Program provides single parents, the majority of whom are women, with additional financing assistance for post-secondary education.

563. The Women's Secretariat produced *Focus on Your Future*, a career awareness and development publication to assist students in their future employment plans. In addition, the Secretariat produced a video which emphasizes career preparation for distribution to all provincial high schools in the fall of 1990.

Article 11: Employment

The Public Service

564. The Saskatchewan Public Service Commission (PSC) is the central agency of the Saskatchewan government responsible for human resource management activity. Mandated by *The Public Service Act*, the Regulations and Collective Bargaining Agreements with two unions, the PSC has developed policies directed towards the elimination of discrimination against women. Although the activities of the PSC are principally internal to the public service, it is also involved in recruitment and staffing initiatives, training and development activity for employees of Crown corporations and assistance in collective bargaining for smaller agencies outside of executive government.

565. Since 1983, the PSC has been subject to a Human Rights Commission-monitored Employment Fairness Plan which targets women, persons of native ancestry and persons with disabilities. In proportion to the working age population provincially, the overall representation of women in the public service is more than sufficient (at 54.9 percent of our work force vs. 43 percent in the community work force), but numbers tend to be concentrated in certain occupational groupings, including clerical positions.

566. The long term goal is for the proportion of women in management and non-traditional roles to be similarly appropriately represented. The Employment Fairness Plan follows a decentralized model, in which individual departments annually establish their goals for recruitment objectives and other activities and present these to the Department of Human Resources, Labour and Employment, which is responsible for the Plan.

567. The PSC aids departments through their recruitment and staffing activity to meet their recruitment objectives. The representation of women in the management group has increased, with its current level at approximately 25 percent of the total. There has been more modest success in increasing the representation of women in non-traditional roles, defined as positions in which female representation is less that 30 percent.

568. The PSC publishes *Saskatchewan Careers*, a tabloid which lists the permanent positions for which recruitment is currently under way. These ads are reviewed for gender bias and to ensure that they depict women in a positive fashion.

569. Job ads provide educational or experience equivalencies when the position requirements allow for such, to help remove systemic barriers to employee movement and encourage employees to develop "transferable skills". The use of education and experience equivalencies enhances the opportunities of women to have volunteer and alternative work experience considered as a substitute.

570. The PSC has developed a new classification plan for in-scope employees, by which positions are evaluated in a manner much more resistant to gender bias, providing for a more equitable evaluation of "jobs of equal value".

571. Twelve month unpaid maternity leave is available, as well as paternity and adoption leave. There is also definite leave available for spousal accompaniment in the event of relocation. Leaves, specifically for purposes of educational training, are available with a potential for full or partial salary reimbursement.

572. A variable hours policy allows out-of-scope employees to reduce their work hours to either 50 percent or 75 percent of the total, while retaining permanent status and access to all benefits. This policy has allowed a variety of work options, including job-sharing. Job-sharing allows permanent, in-scope employees to take leaves from their current position and then work on a part-time basis. This, combined with flexibility in the tied work hours has made for more manageable arrangements between work and family life.

573. The PSC has a policy affecting those who operate video display terminals and computers providing for minimum periods of operation and leave provisions and cost reimbursement for eye examinations. Employees who are pregnant will, upon request, be granted temporary re-assignment from operating a VDT to other job duties or be granted definite leave.

The Private Sector

574. The Women's Secretariat publishes a magazine entitled *Focus*, which is distributed to over 8,000 individual women and organizations across the province. This publication, through articles and interview profiles, provides information and helps to raise awareness and understanding of issues affecting women in Saskatchewan. As well, the Secretariat distributed *Into Employment - A Handbook for Women*, which provides information on job search techniques.

575. *The Labour Standards Act*, R.S.S. 1978, c. L-1, provides that no employer shall discriminate between male and female employees by paying an employee of one sex at a rate less than the other for similar work performed in the same establishment. The performance of this work must require similar skill, effort and responsibility and be performed under similar working conditions. This provision does not apply where the difference in pay is set by a seniority or merit system. No employer shall reduce the pay of any employee in order to comply with this provision.

576. The Director of the Labour Standards Branch may refer any equal pay complaint to the Saskatchewan Human Rights Commission for a formal inquiry, if the inspector appointed by the Director to investigate the complaint is unable to reach a settlement.

577. Section 4 of Minimum Wage Board Order No. 2 (1981) provides that every female employee permitted to finish work between 12:30 a.m. and 7:00 a.m. must be provided with free transportation to her place of residence by her employer.

578. Under the *Radiation Health and Safety Act, 1985 Regulations*, a pregnant woman may, through consultation with her employer, reassess and revise her work duties so that the maximum permissible radiation exposure for a pregnant woman is not exceeded.

579. Teen mothers and their children are at high risk of becoming long-term dependents on the Saskatchewan Assistance Plan and living in poverty. The Department of Social Services therefore provides personal and vocational counselling to these young mothers and also teaches child care and parenting skills. These services are operated directly by the Department staff, and Department-funded programs run through family service agencies throughout the province. The Department program was started in 1982 and funding for the non-government agencies began in 1984.

Article 12: Health

580. In 1991, the Saskatchewan Alcohol and Drug Abuse Commission will offer training courses on women and chemical dependency, sexual abuse and family violence, to assist care givers in recognizing and appropriately referring women with dependency problems and women in abusive situations. The Commission also offers numerous video and print resources on the special needs and concerns of women in relation to substance use and abuse: fetal alcohol syndrome; women and chemical dependency; women and smoking, etc.

581. Pre- and post-natal classes, well baby clinics and parenting classes are offered through health units throughout the province, some of which are specifically provided by and for native women.

582. In January 1990, the departments of Social Services, Education and Health established a program designed to ensure that unwed pregnant adolescents are made aware of the range of community, medical and educational support services and options available to them, during and after their pregnancy.

583. In 1990, a program was initiated through co-operation between hospital staff and public health nurses, to ensure that, after child birth, the mother is aware of the risks of post-partum depression and of the community support services available upon discharge from the hospital.

584. The Health Promotion Branch of the Department of Health has developed and distributed a range of health promotional literature dealing with women's health concerns: women and AIDS, pre-natal care, women and smoking, breast feeding, nutrition during pregnancy, etc.

585. Since 1988, community grants totalling $19,175 have been provided to 25 different women's groups to carry out a range of community health promotion projects.

586. Two pilot breast cancer screening projects were initiated in 1990. An urban pilot program was established in April 1990 to provide screening services to women located immediately around Regina. A rural pilot program was established in September 1990 using a mobile van to provide screening services north of Saskatoon between Hudson Bay and The Battlefords.

Article 13: Economic and social life

587. Under *The Pensions Benefits Act*, R.S.S. 1978, c. P-6, all pension plans must provide a retiring married employee with a joint pension, which guarantees a surviving spouse's benefit of at least 50 percent of the employee's benefit. The spouse's right to a benefit may be waived if he or she signs a written, witnessed statement to this effect. The distribution of pension benefits on marriage breakdown is allowed, in accordance with a court order or interspousal contract made under *The Matrimonial Property Act*.

Article 14: Rural areas

588. The Co-operatives Branch of the Department of Economic Diversification and Trade has assisted the development of rural co-operatives. Some examples include feeder loan associations (60), rural develop co-ops (19), grazing co-ops (132), fishing co-ops (22), wild rice co-ops (2), farmer's markets (49) and credit unions (207). The Department also has a two-year contract with a consultant who provides a series of one-day seminars on starting home-based businesses. Sixty percent of the participants in these seminars are women.

589. The Co-operatives Branch of the Department of Economic Diversification and Trade assists residents in the organization of co-operative day care centres throughout the province.

590. The child care program, administered by the Department of Social Services, continues to expand child care services, particularly in rural areas. Subsidies are available to provide access

to affordable, quality child care. Approximately 85 percent of subsidies are paid to single parents, the majority of whom are women. Pilot projects are under way to provide school-age child care and infant care for teen parents in school settings. Since 1981-82, there has been a 90 percent increase in expenditures on child care grants and subsidies, and a 48 percent increase in the number of licensed child care spaces in the province. The Department licenses and regulates day care centres and family day care homes. Subsidies are provided for low income parents who cannot afford the cost of care. Eighty seven percent of those receiving subsidies are single parent mothers.

Program Statistics 1981-82 and 1989-90

	1981-82	1989-90
No. of licensed spaces	3,914	5,800
No. of day care centre spaces	3,373	3,820
No. of day care home spaces	816	1,980
Maximum subsidy	$210	$235
Total subsidies	$5,322,835	$10,119,164
Total grants to day care	$864,264	$1,555,007
Total subsidies and grants	**$6,187,099**	**$11,674,171**

591. Hospital services are organized in Saskatchewan such that, with the exception of Northern Saskatchewan, no resident is further than 25 miles from a hospital and related medical services. Air ambulance services are used extensively in Northern Saskatchewan to ensure that rural residents have ready access to necessary hospital and medical services. Community health, mental health and home care services are organized on a regional basis to ensure that all provincial residents have access to these services.

9. ALBERTA

Introduction

592. This report covers the period January 1, 1987 to December 31, 1990.

593. The Government of Alberta remains firmly committed to enhancing opportunities for Alberta women. For the 1990-91 fiscal year, expenditures on selected programs in support of Alberta women and their families will exceed $130 million. This is a 14 percent increase over the previous year's funding and a 29 percent increase over 1988-89.

Article 2: Equality

594. Effective May 14, 1990, 15 amendments were made to *The Individual's Rights Protection Act*. Major amendments to the Act include the following:

- Protection from sexual harassment is extended to domestic and live-in farm employees. This means that all employees are now afforded legal protection against sexual harassment.

- Pregnant women will receive better protection through the introduction of section 38(2) which states that protection on the basis of gender "includes, without limitation, protection of a female from being adversely dealt with on the basis of pregnancy".

- Protection against retaliation will be provided for complainants who made initial attempts but did not actually file a complaint.

In addition, the *Commission Procedure Regulation*, made in 1990 under the Act, extends the timelines for a complainant to request a review of a dismissed complaint from 10 to 30 days.

595. On September 28, 1990, a human rights tribunal appointed by the Alberta Government handed down an important decision in a sexual harassment case. The tribunal awarded $7,400 to a woman who had been sexually harassed by her former boss for almost a year. The case is important for several reasons. The fairly substantial award should encourage women who may have refrained from filing a sexual harassment complaint against their employers because they believed that the administrative tribunal would not adequately compensate them for the personal embarrassment and shame of a public hearing. Also, only a few sexual harassment cases in Alberta have gone to the public hearing stage.

Article 3: Appropriate measures in the political and economic fields

Government machinery

596. The Alberta Advisory Council on Women's Issues was established in November 1986 by an act of the provincial legislature. The purpose of this citizen's advisory body is to advise and

report to the Alberta Government, through the Minister Responsible for Women's Issues, on matters relating to the full and equal participation of Alberta women in the life of the province. The 15-member Council is appointed by Order in Council and members are chosen from a list of individuals nominated by Albertans. The Council meets a minimum of three times a year.

597. The Women's Secretariat is a government body which was established in April 1984 to assist the Government of Alberta to better respond to issues that are of concern to women. A major responsibility of the Women's Secretariat is the co-ordination of the government-wide Plan for Action for Women. Announced in 1989, the Plan for Action contains annual goals and strategies to address women's concerns and needs in the target areas of the workplace, family, education and training, health, community and the public service. During the first two years of the Plan for Action, 31 initiatives for women were implemented at a total cost of $19 million.

Initiatives for women entrepreneurs

598. The Department of Economic Development and Trade provides free counselling services to women in business or women who may be contemplating the establishment of a business. In 1989-90, almost 41,700 persons contacted the Department by telephone or in writing. About 44 percent of these client contacts were women.

599. Between January 1987 and December 1990, the Department of Economic Development and Trade provided advisory services and grants for groups conducting seminars and workshops for women in business.

600. In March 1990, the Department of Economic Development and Trade commissioned a research study on barriers to women in business. The study will help the Department to continue to provide effective programs for women in business.

Article 4.1: Temporary special measures

601. At its April 1990 meeting, the Alberta Human Rights Commission issued a declaration on its commitment to promote employment equity in the workplace. The Commission has also made it known that special programs or affirmative action programs to help women and other disadvantaged persons are legal under *The Individual's Rights Protection Act.*

602. In 1989-90, an interdepartmental committee, which includes union representatives, was established to review the Government's current employment equity mandate with regard to its women employees, and to recommend and advise the Government on the implementation and evaluation of employment equity initiatives in the Alberta Public Service.

603. Two units within the Department of Career Development and Employment are specifically concerned with employment equity in the workplace. Women's Career Resources provides consultation and resources to career practitioners, and Access Initiatives focuses on influencing employers to expand employment opportunities within trades and technology occupations for designated groups such as women.

604. In 1990-91, several new employment equity programs were initiated in the Alberta Public Service including a pilot project for a mentoring program for women in senior management, and an accelerated management training program. These initiatives are designed to increase the number of women in management positions.

Article 5(*a*): Elimination of stereotypes

605. In 1989, as part of a public awareness campaign, the Alberta Women's Secretariat developed a television spot "Alberta Women - Making it Happen" which was aired during the spring and fall of 1990. This 30-second spot includes six vignettes which promote awareness of, and respect for, the many important roles women play in society. The campaign promotes the concept of women as equal and active partners in Alberta society. Its primary message is that women's work, at home and away from home, is valuable and meaningful, and contributes to the growth of the Alberta economy and to the well-being of its citizens.

606. In 1988-89, a two-day workshop to increase employee awareness of gender differences in the workplace was piloted on all employees of the Department of Career Development and Employment. In 1990, this workshop was made available to the general public, business and industry.

Article 7: Political and public life

607. Women's representation on elected bodies has increased since 1985. At the provincial legislature, women's representation increased dramatically from 7.6 percent in 1985 to 15.8 percent in 1990 (as of November 1990). Between 1985 and 1990, women's representation on municipal councils increased from 17.8 percent to 18.4 percent. Women continue to be better represented on school boards (34.0 percent in 1985 and 39.4 percent in 1990) than in the legislature and on municipal councils.

608. Women's representation in the Alberta judiciary increased from 7.5 percent in 1986 to 9.4 percent in 1990.

609. Improvements in women's representation in senior government positions have occurred primarily at the minister and deputy minister level. Between 1985 and 1990, women's representation at the minister's level increased from 7.1 percent to 11.1 percent. The first woman deputy minister in the Alberta Public Service was appointed in 1987, and as of November 1990, there were two female deputy ministers out of a total of 27 (or 7.4 percent). Women's representation at the assistant deputy minister or equivalent level increased from 5.2 percent in 1985 to 6.6 percent in 1990.

Article 10: Education

610. The Stepping Stones Role Model Program is a major undertaking by the Alberta Women's Secretariat. First introduced on a pilot basis in 1988, the Program brings female role models to various school and community events to make students aware of the myriad of career options available to them. The Program introduces students to women who are employed in non-traditional occupations and includes female police officers, engineers, pilots, heavy machinery

operators, and so on. The Stepping Stones Program is currently available in junior high schools in Edmonton and Calgary and will be expanded to other parts of the province in 1991.

611. The Women's Secretariat administers two programs which are intended to provide support to individuals and groups for educational activities. The Women's Secretariat Grant Program provides financial assistance to women's groups and non-profit organizations for short-term public educational projects. The Persons Case Scholarship is awarded annually to Alberta post-secondary students who are pursuing studies that will contribute to the advancement of women in society. The scholarship is awarded on the basis of scholastic achievement and financial need.

612. The Women in Scholarship, Engineering, Science and Technology (WISEST) committee of the University of Alberta was established in 1982 to increase the number of women in areas of scholarship where they are under-represented. In 1984, WISEST introduced The Summer Program for high school students who have completed grade 11. The Program is designed to show young women that careers in science and engineering can be both exciting and rewarding. Students work for six weeks during July and August as part of a research team at the University of Alberta and receive an honorarium of $750. Girls are involved with research in sciences and engineering, and a small number of boys are placed in research projects in nursing and home economics. The Summer Program is funded by federal and provincial grants, the University of Alberta and a local philanthropic foundation. Since its inception in 1984, the number of students accepted each summer has ranged from 14 to 40. WISEST sends application forms to high school science teachers in the City of Edmonton and the surrounding area. To be selected, students must be strong achievers in science and possess some qualifications appropriate to the research projects which are available at the time. Demand for this program is very high as indicated by the large number of applicants each year.

Article 11: Employment

Article 11.1(*c*)

613. In December 1988, the Government of Alberta announced a series of initiatives to enhance the worklife of the nursing profession. The initiatives recognize the important role of nurses in our health systems and encourage nursing input into decisions affecting patient care and nursing practice. The Government has committed $30 million over four years (beginning April 1, 1989) in support of the nursing initiatives.

614. The Department of Career Development and Employment has undertaken several initiatives to improve the economic status of women. In 1990-91, the Department developed and delivered a pilot bridging program which can be used by businesses to move entry-level women employees into non-traditional trades and technological occupations.

615. In addition, since 1986, the Department of Career Development and Employment has published two publications which are of major interest to women. *Directions: A Women's Guide For Returning to Work* was produced for public distribution in 1988-89. *Statistical Report: Women in the Alberta Labour Market and Women in Education and Employment Training in Alberta, 1988* was produced (primarily for use within the government) in 1989.

Article 11.1(*d*)

616. In the Alberta Public Service, the position classification plan for office-related jobs occupied primarily by women was revised in 1989. The revision resulted in pay increases for most employees in these positions.

617. The Alberta Human Rights Commission continues to encourage equal pay initiatives undertaken by other agencies, such as the City of Calgary and the University of Alberta.

618. In 1989, the City of Calgary established a task force to examine the issue of pay equity for city employees and Calgary City Council approved pay equity in principle in June 1990. A pay equity plan for Calgary city employees will be released to the public in 1991.

619. The University of Alberta began the implementation of a pay equity plan for support staff in April 1989. Women held approximately 60 percent of the 3,300 support staff positions reviewed under the pay equity plan. Some women have received wage increases as a result of the job review. The University of Alberta has not completed the implementation process, and the general impact of the pay equity program on female support staff workers at the University of Alberta will not be known until 1991.

Article 11.1(*e*)

620. In 1989, the Government announced its intention to examine the area of pension options for women. The Government is concerned about women who are faced with economic difficulties at retirement, because of periodic absences from the labour force and lower lifetime earnings. This initiative will examine and evaluate options that would assist women to save for their senior years.

Article 11.2(*b*) and 2(*c*)

621. The new *Employment Standards Code*, R.S.A. 1988, c. E-10.2 (which replaced the *Employment Standards Act, 1980*), came into effect on November 1, 1988. The Code introduced adoption leave which can be taken by either parent. Employees will now be entitled to receive up to eight weeks unpaid leave when adopting a child under three years of age.

622. In 1990, through amendments to the *Master Collective Agreement*, the Government of Alberta provided its employees with improved paid leave for family reasons and benefit plans during maternity or adoption leave.

623. A joint union/employer committee was established in 1990 to deal with issues related to the maintenance of a healthy balance between work and family responsibilities. To determine the needs, opinions and priorities of employees, the committee conducted a survey of all Alberta Public Service employees in late 1990.

624. Major reforms in the Alberta Day Care Program were approved in late 1990. The reforms will increase the subsidies paid to low income families over a four-year period and introduce day

care staff training requirements for all primary staff. The new training requirements will improve the quality of day care available to Alberta families.

Article 12: Health care

625. Since 1986, the Department of Health has provided assistance and support to health units to enable them to develop and deliver better reproductive health services. Its efforts include the development of guidelines for educational and clinical reproductive health programs. In addition, in conjunction with an urban health unit, the Department of Health provided a provincial training project to ensure that professionals in the program were adequately trained for their duties. Department of Health consultants are also available to assist with reproductive health program planning, implementation and evaluation.

626. Three new reproductive health clinics have been established in rural communities in Northern, Central and Southern Alberta since 1986. These clinics increase the accessibility of family planning services to rural women.

627. The Department of Health and the Women's Secretariat are conducting a comprehensive review of reproductive health policies and programs. As the first step in the review process, an interdepartmental committee with representation from the Department of Health and the Women's Secretariat was formed in 1990 to develop an inventory of reproductive health programs currently offered through the province's health system.

Article 14: Rural women

628. The Department of Agriculture provides extension courses through its district offices and 4-H programs for women in the rural areas of Alberta. These include courses in leadership, communication training, business skills and computer skills.

629. Women account for over 60 percent of enrollment in the Farm Business Management Training program of Alberta Agriculture. This reflects the fact that women are now taking a very active part in managing farms and making more of the business and financial decisions involved in running the operations.

630. In 1989, Alberta Agriculture and Alberta Consumer and Corporate Affairs, in consultation with the Women's Secretariat, developed a publication, *Taking Care of Your Family's Future*. Recognizing that women generally outlive men, this publication is designed to prepare them for managing their financial affairs.

631. Also, in consultation with Alberta Economic Development and Trade, Alberta Agriculture developed a home study program on home-based business which was released in early 1990. This program should be of major interest to rural/farm women who are currently engaged in or who may be contemplating the establishment of a home-based business.

Article 15: Women equality with men before the law

632. Inter-spousal tort immunity was abolished in July 1990 when the Government of Alberta passed Bill 56 which amended *The Married Women's Act*, R.S.A. 1980, c. M-7. Under section 2(3) of the said Act, no husband or wife was allowed to sue the other for a tort. Bill 56 repealed section 2(3) and in its stead substituted the following clause: A married person has the same right of action in tort against his or her spouse as he or she would have if they were not married.

Article 16: Marriage and the family

633. During the past three years, the Government of Alberta has introduced a number of initiatives in support of the family:

- *The Family Day Act* was passed in 1989. It creates a statutory holiday known as "Alberta Family Day" which recognizes the importance of the family.

- The Lieutenant-Governor's Conference Celebrating Alberta's families was held from February 19-21, 1990. The conference was intended to build awareness and understanding of the family and its role in the 1990s, provide an opportunity for debate and dialogue on family matters, and enhance public access to information on available family support agencies and services in the province.

- The Premier's Council in Support of Alberta Families was established on April 19, 1990, to act in an advisory capacity with respect to government policies, programs and services which may impact on family life in Alberta.

634. The Office for the Prevention of Family Violence continues its efforts to reduce family violence in Alberta. In response to the growing interest and commitment of community groups and individuals throughout the province, the Office provided additional funds of $200,000 in both the 1989-90 and 1990-91 fiscal years to support innovative community-based family violence prevention projects. During Family Violence Prevention Month and throughout the 1989-90 fiscal year, Community Project Funding supported 36 educational initiatives and 14 demonstration projects.

635. The Office for the Prevention of Family Violence continues to distribute the quarterly newsletter FOCUS, highlighting such issues as the abused immigrant woman, family violence in rural communities, and native issues.

636. The Government of Alberta expended $5.1 million on women's emergency shelters and satellite shelters in 1989-90. Major initiatives included the following:

- Funding of community groups was increased by $270,000 to support the establishment of six new satellite shelters in rural communities. These facilities provide abused women and their children with short-term crisis accommodation for up to seven days. In addition, the satellites offer a range of services according to community needs which are funded by both the government and community.

- Additional funding of $736,000 was provided to the 14 existing women's emergency shelters for basic emergency services, increased staffing, and higher staff salaries.

637. The Solicitor General, the Minister responsible for the Administration of the *Police Act*, demonstrated a commitment and took a leadership role with respect to law enforcement and crime prevention in the area of family violence by introducing policing initiatives to enhance police practices when dealing with calls of spousal abuse. The policing initiatives can be grouped into five major categories -- Enforcement, Police Education, Victim Support, Public Awareness and Research. These initiatives are designed to: (1) reduce the incidents of family violence through early police intervention; and (2) increase public awareness of the criminal nature of family violence.

638. The following improvements have been made since 1986 in the Maintenance Enforcement Program which was established by the *Maintenance Enforcement Act* in 1986:

- the number of program staff taking inquiries has been increased to provide creditors with better access to information and services;

- the federal government is now intercepting income tax refunds and unemployment insurance payments for the benefit of the creditor;

- a direct deposit system to a creditor's bank account has been instituted to allow the creditor to receive the funds as soon as possible.

As of October 1990, 64.1 percent of the people registered in the Maintenance Enforcement Program had received payments during the last 90 days and 55.9 percent had received payments in the last 30 days.

Article 16.1(*d*)

639. *The Parentage and Maintenance Act* received Royal Assent on July 5, 1990. This legislation, which addresses maintenance of children born to unmarried persons, removes some of the barriers faced by unmarried women seeking child maintenance from the declared fathers.

10. BRITISH COLUMBIA

Article 2

640. In November 1989, the Government of British Columbia established a portfolio for women's issues by creating the **Ministry of Government Management Services and Minister Responsible for Women's Programs**. This ministry incorporates the duties and responsibilities of the Women's Secretariat, described in the previous report.

641. With co-ordination by the Ministry Responsible for Women's Programs, a **Women's Advisors Committee** operates within government to improve the representation of women in management and assist women to advance within the public service. Annual action plans prepared by each ministry address career development and advancement for women.

642. In April 1990, an **Advisory Council on Community-Based Programs for Women** was constituted by the Minister Responsible for Women's Programs. In June 1990, the Council recommended ways in which programs could be funded and delivered more effectively to women in their communities. In response, the British Columbia Government has approved several initiatives which address women's needs at all levels of government and the community.

643. A **Ministry of Native Affairs** was established in 1988, as described in our recent report on Articles 10-15 of the *International Covenant on Economic, Social and Cultural Rights*. It offers a number of programs to assist native people towards achieving economic self-sufficiency. Some of these are directed to assisting women to establish themselves in business and professional careers.

Article 7: Women in political and public life

644. Between 1986 and 1989, the representation of women in provincial government management positions rose from 17.3 percent to 26.9 percent. Certain ministries have established "bridging positions" available to women only (under special approval from the Council of Human Rights) which assist them in moving from clerical to more senior positions.

Article 10: Education

645. As reported in our recent report on Articles 10-15 (Article 13) of the *International Covenant on Economic, Social and Cultural Rights*, the Province of British Columbia in 1987 established a **Royal Commission on Education** to review all aspects of the education system. One of the many concerns identified by the Commission was the need to overcome gender barriers in education. In order to address this concern, the Ministry of Education has hired a **Gender Equity and Women's Program's Co-ordinator** who will develop initiatives in this area, particularly in curriculum, learning materials, policies and practices in the education system.

646. In order to increase the participation of women in education and careers in science and technology, a video series and teacher's guide has been prepared entitled *What Do Scientists Do?*. An awareness campaign has been prepared for high school girls to encourage them to pursue training towards employment in trades occupations.

Article 11: Employment

Paragraph 1(*d*)

647. In October 1990, the Province of British Columbia announced its intention to implement **pay equity for women in the public service**. This program is being negotiated with the relevant trade unions and will come into effect in January 1991.

648. A **Deputy Ministers' Committee on Employment Equity** has been formed to examine the barriers to employment in the provincial public service for members of disadvantaged groups, including women.

Paragraph 1(*e*)

649. While not yet incorporated into law, *Bill 44 - The Pension Benefits Standards Act* is being circulated for public comment and review. This proposed legislation, which is similar to standards in other jurisdictions in Canada, sets out minimum standards to be met by pension plans. Among other features, it would provide minimum benefits levels for spouses of deceased workers, prohibit sex discrimination in pension provisions, allow pension portability, and set rules for eligibility of part-time workers.

Paragraph 2(*c*)

650. The Minister Responsible for Women's Programs has established a **Task Force on Child Care** with a mandate to determine the gaps in child care services in the province.

Article 13: Other areas of economic and cultural life

651. The Ministry Responsible for Women's Programs offers a number of initiatives to assist established and prospective businesswomen, including conferences, bursaries for business training, and it provides grants for business management training for native women.

Article 16: Marriage and family relations

652. Under a 1987 change to section 4 of the *Vital Statistics Act*, parents may choose any surname for their child. Previously, the father's surname was required.

REPRESENTATION OF WOMEN IN BRITISH COLUMBIA
- AN OVERVIEW -

		Total	Women	%
•	**Political Participation**			
*	Federal (Dec/89):			
	House of Commons	295	40	13.6%
	Cabinet	37	6	16.2%
	Senate	104	12	11.5%
*	Provincial (Dec/89):			
	Legislature	69	9	13.0%
	Cabinet	16	2	12.5%
*	Municipal (March/89):			
	Mayors	149	25	16.8%
	Councillors			
	Regional Districts	29	2	6.9%
*	School Trustees (Jan/90) (75 School Districts)	520	262	50.4%
•	**B.C. Labour Force** (1989)			
*	Women in Labour Force	1,578,000	701,000	44.4%

- labour force participation rate - 58%
- 1988 wage gap - 61.8%
- average income of a B.C. women working full time, full-year - $20,797; average male - $32,597. (1986, Statistics Canada.)

		Total	Women	%
•	**B.C. Public Service** (Jan/90)			
*	Government employees	35,878	19,730	55.0%
*	Managers	2,950	785	26.6%
*	Senior Managers	400	42	10.5%

• **Education System**

* Women in the Labour Force (1988-89)

Public Schools	56% of teachers 20% of vice-principals 14% of principals 4% of superintendents
Colleges	59% of part-time staff 32% of full-time staff 14.2% of senior administration
Universities	18% of faculty positions

* Women in Education and Training Programs (enrollment)

Apprenticeship	9% of registered apprentices (1989) (4% excluding Hairdressers and Florists)
Trade & Vocational	37.2% graduates (1986-87) (Most women are concentrated in vocational programs.)
Colleges	58.4% of student population (full-time and part-time)
Universities	50.9% of student population (full-time and part-time) Degrees awarded to women (1987): 52% of Bachelor's degrees 45% of Master's degrees 26% of Doctoral degrees

* Women on Post-Secondary Boards and Commissions (Government appointments as of May/90)

Colleges	34%
Institutes	29%
Universities*	17% - Boards of Governors 13% - Foundation Boards 0% - Senates

(NOTE: Boards of Governors are 15 members each (8 appointed); Foundations are 5 members each, all appointed; Senates have many members, with just 4 Government appointees on each.)

• **Justice System in British Columbia** (May/90)

	Total	Women	%
Court of Appeal Judges	23	2	8.7%
Supreme Court Judges	39	3	7.7%
Supreme Court Masters	11	1	9.1%
County Court Judges	51	5	9.8%
Provincial Court Judges	117	12	10.3%
By-Law and Traffic Adjudicators	12	3	25.0%

(NOTE: The Attorney General of B.C. is responsible for the appointments of Provincial Court Judges and By-Law/Traffic Adjudicators).

Policy, Planning and Research
May 30, 1990

C. GOVERNMENTS OF THE TERRITORIES

1. YUKON

Article 1

653. The *Human Rights Act* prohibits discrimination on the basis of sex, including pregnancy and pregnancy-related conditions and on the basis of marital or family status.

Article 2

654. The principle of equality of men and women is embodied in the *Human Rights Act.*

655. The *Human Rights Act* established the Human Rights Commission, whose objectives include (1) the elimination of all forms of prohibited discrimination which prevent people from living as equals in Yukon society and (2) conducting efficient and effective investigations of alleged violations of the *Human Rights Act.* Of the 22 cases the Human Rights Commission investigated from April 1, 1989 to March 31, 1990, 3 were complaints concerning sex discrimination and 6 were complaints concerning discrimination on the basis of marital/family status.

Article 3

656. Most of the family violence that occurs in the Yukon, as in the rest of Canada, is committed by men against women and children. The Yukon Government has taken the position that family violence seriously impedes the advancement and full development of women in society and has embarked on a comprehensive *Family Violence Initiative.*

657. Under this initiative, the Department of Health and Human Resources has established the *Safe Places Program,* which provides capital and operational funding to community groups for safety and support to abused women and their children.

658. Under the same initiative, the Department of Justice has delivered a series of public presentations related to family violence, established monthly training sessions in the area of family violence for professional and lay counsellors, and provided women's support groups for battered women and treatment groups for assaultive men. Also, the Department of Justice has recently expanded its Victim Support Services to service victims in rural communities as well as in Whitehorse.

659. Through the *Family Violence Initiative,* the Yukon's Women's Directorate has conducted an extensive media public awareness campaign in relation to family violence. In conjunction with the Department of Justice, a *24 Hours Family Violence and Sexual Assault Information Line* was established, and is serviced in the evening hours by the Women's Transition Home.

660. The *Compensation for Victims of Crime Act*, administered by the Worker's Compensation Board, contains provisions for financial compensation to women and their family members who are victims of violence and promotes the program in all Yukon communities.

Article 4

661. The Yukon Territorial Government has established a *Plan of Action for Women*. This initiative is headed by the Yukon Women's Directorate, and is aimed at furthering the government goal of equitable representation of women (including native and disabled) in government in all occupations and at all levels where they are presently under-represented. As a result of this Action Plan, six new Assistant Deputy Minister positions were created and filled by women.

662. The *Human Rights Act* provides for the establishment of special programs designed to prevent disadvantages that are likely to be suffered by any group and establish affirmative action programs designed to reduce disadvantages resulting from discrimination suffered by a particular group.

Article 5

663. The *Maintenance and Custody Orders Enforcement Act* recognizes the common responsibilities of parents in the upbringing of their children by enforcing and collecting court-ordered child-support payments.

664. The Yukon Government's *Plan of Action for Women* supports initiatives which attempt to change negative, discriminatory and stereotypical attitudes toward women which serve as barriers to full equality in Yukon society.

Article 7

665. In the Yukon, as of December 1990, 4 of the 16 members of the legislature were women; 13 of 50 members of municipal councils in the territory were women (one seat was vacant) and 64 of 100 school board members were women.

666. The Executive Council Office has developed a policy on government-appointed boards and committees that includes a goal of gender balance. By April of 1988, 44 percent of appointments were women. The Women's Directorate has established the *Yukon Women's Talent Bank* and actively recruits women to serve on boards and committees; presently there are 46 women listed in the talent bank.

Article 10

667. Yukon College hosts courses in urban and rural communities for people desiring to acquire basic language and literacy skills for entrance into college programs.

668. Career counselling, bridging programs and availability of financial assistance are all supports that promote accessibility to higher education. On-site day-care and family accommodation in the

student residence on the college campus in Whitehorse provide essential supports for students with children.

669. The *Student Financial Assistance Act* and the *Occupational Training Act* allow for assistance to be provided to single mothers (parents) in accordance with their family needs.

670. The Yukon Department of Education has established drop-in programming at the pre-college preparation level from 9 a.m. to 9 p.m. and over lunch hours in Whitehorse to permit easier access to students with family or employment responsibilities.

671. Following a survey conducted by the Department of Education, *The Teen Parent Access to Education Society* was established to develop programming, child care, education and support services to pregnant teens and teen parents. Teen mothers can now participate in a new school program in Whitehorse which provides on-site day-care which allows the young mothers to complete their high school education as well as receive education, training and support in parenting, life skills, nutrition, child development etc.

672. The Department of Education undertook an extensive review of school curriculum and resource materials to eliminate sex/role stereotyping and include gender balance and native content. Specifically, the History, Career Planning and Orientation, Health and Family Life curriculum are modified to reflect gender balance and Yukon native content.

673. The Yukon Women's Directorate, Department of Education, Yukon Advisory Council on Women's Issues and the federal Industry, Science and Technology Department have sponsored the *Women Do Math* program. In its second year, the program is designed to encourage more female participation in the maths and sciences at the college level.

Article 11

674. The Yukon Women's Directorate conducted research on women's participation in the private sector and in the specific barriers female entrepreneurs face. A conference for women entrepreneurs was held in Whitehorse in April 1989, and from this, the *Yukon Women's Business Network* was formed.

675. The *Yukon Training Opportunities Program* has been established to provide the opportunity for Yukon government employees to obtain on-the-job training. Under this program, the Department of Education has established 14 training positions in 1989; 13 of these positions have been filled by women and 10 of these by native women.

676. The Yukon *Human Rights Act* prohibits, in the public sector, employers from establishing or maintaining a difference in wages between employees who are performing work of equal value, if the difference is based on any of the grounds prohibited in the Act, including sex and marital status.

677. There is a clause in the collective agreement with the Yukon Government and the Yukon Employees Government Union prohibiting sexual harassment in the workplace.

678. The *Social Assistance Act, Dependants Relief Act, Family Property and Support Act, Maintenance and Custody Orders Enforcement Act,* the *Reciprocal Enforcement of Maintenance Orders Act,* and the *Workers Compensation Act* all provide financial assistance to women and their families.

679. The *Employment Standards Act* requires private sector employers to provide unpaid maternity leave without jeopardy to job security for women with 12 months service.

680. The Government of Yukon provides its employees up to 37 weeks maternity leave without pay, adoption leave, and some days of paid leave with a guarantee of the same or a comparable position on return from leave. There are also provisions for paid leave to care for an ill child or meet other special circumstances.

681. In January 1989, the Department of Health and Human Resources announced the *Child Care Strategy for the Yukon.* The Strategy outlines 26 initiatives aimed at improving child care services and resources. By January 1990, 82 new child care spaces had been created in Whitehorse with an additional 57 spaces in other communities for a total of 139 new spaces.

682. Child care assistance is available for self-employed women.

683. The *Human Rights Act* prohibits unfavourable treatment of women due to pregnancy or pregnancy-related conditions in relation to the provision of public services, in connection with any aspect of employment, membership in a trade union or association, occupancy, lease or sale of property offered to the public, and in the negotiation of performance of any contract offered to the public unless reasonable cause can be established.

Article 12

684. The Department of Education, Libraries and Archives Branch, has expanded the reference, general and audio-visual collection, specifically in the areas of pregnancy, child birth, child care and other reports on a variety of women's issues.

685. Last spring, the Yukon Department of Health created the first mammography unit in the territory. Yukon women will no longer have to travel outside the territory to access this service.

Article 13

686. Single-parent women and their children are entitled to financial support through the *Family Property and Support Act* and the *Dependants Relief Act.* If their income is below established thresholds they may be eligible for child care subsidy and/or social assistance.

687. The Yukon Government is presently participating in a joint federal/provincial/territorial *Child Support Guidelines Project.* The mandate of this committee is to define appropriate quantitative or numeric formulae to be applied in the assessment of child support, to be based on the actual costs of raising children in Canada.

Article 14

688. The Yukon Advisory Council on Women's Issues undertook a study of the accommodation needs for pregnant women from rural communities who must give birth in Whitehorse. The result of this study was the establishment of a roster of families willing to provide support and accommodation for people travelling to Whitehorse from the communities for medical reasons. This is viewed, however, as only a short-term solution.

689. The preamble of the new Yukon *Health Act* states that equitable access to quality health and social services is critical to protecting, promoting and restoring health and that social programs and services must be sensitive and responsive to the cultural diversity in each Yukon community.

690. Distance education programs are available to those students who wish to remain in their home communities. Secondary school courses, university transfer courses, developmental studies and continuing education programs are available on the Yukon College site or through distance education services.

691. The Yukon Women's Directorate, Yukon Development Corporation and the Department of Education have assisted the Yukon Indian Women's Association in their development of a three-year proposal for an Indian Aboriginal Infrastructure Project. The goal of the project is to empower Indian women in rural communities to pursue personal as well as community economic development.

Article 15

692. The Department of Justice has begun an on-going process of reviewing, auditing and amending legislation to ensure non-sexist, gender-neutral language, and new bills are drafted with this consideration in mind.

693. The *Change of Name Act* has been amended to remove a provision that required a woman to obtain her divorced spouse's consent before she could change her name.

Article 16

694. The *Marriage Act* requires that parties be 15 years of age to marry and have parental consent if under 19 years of age. If parental consent is denied, a court may issue an order dispensing with the consent requirement.

2. NORTHWEST TERRITORIES

Article 2(*b*)

695. As mentioned in Canada's second report on the Convention, the Government of the Northwest Territories has incorporated the principle of equality between men and women in the *Fair Practices Act*, R.S.N.W.T. 1988, c. F-2, which prohibits discrimination against women in the areas of employment, accommodation, services and facilities available in any place to which the public is customarily admitted.

696. A discussion paper was released in 1984 which proposed the adoption of a Human Rights Code. The proposed code was a progressive code which incorporated model provisions from the other jurisdictions within Canada. The Northwest Territories has an aboriginal majority both in population and in elected representation and the form of government is to a large extent aboriginal government. It was perceived by the aboriginal organizations and the aboriginal population that the timing for the introduction of an "individual rights" based code was inappropriate as "collective rights" concerning land claims and self-government were being negotiated.

697. The "collective rights" negotiations have progressed substantially but have not yet been concluded. An invitation has been extended to the aboriginal organizations to discuss a model which will accommodate both individual and collective rights.

Article 2(*f*)

698. In December of 1990, the departments of Social Services and Justice and the Women's Directorate funded a review which will examine in detail the functioning of the justice system as it involves and affects women and children. The review will carry out its activities in order to improve the understanding of gender equality issues by the public and professionals involved in the system. The review will also make recommendations on ways to achieve gender equality in the system.

699. The activities in the initial review will include the identification and initial examination of gender bias in all aspects of the justice system. This will consist of, but not be limited to, sentencing (especially in sexual/spousal assault cases), the role and mandate of the Judicial Council, the discretion of Crown attorneys, legal aid, circuit lawyers, courtroom language, education and training of lawyers and judges, victim participation and the relationship between the issues of gender and culture.

700. The activities will also include research and data collection, identification of, and research into, reform options and models, public education and consultation, community meetings, regional workshops, and the examination of Government of the Northwest Territories initiatives for their relationship to gender equality issues.

701. The Government of the Northwest Territories initiatives which will be examined will include legal interpreters, victims' assistance, legal aid, public trustee, maintenance enforcement, justices of the peace, corrections and family violence prevention.

702. The review of gender equality will work closely with the Advisory Committee on Aboriginal Justice and the Department of Justice in their activities addressing aboriginal issues in the justice system, particularly in areas of potential overlap or mutual concern. In particular, the Advisory Committee on Aboriginal Justice will be given the opportunity to review results and advice in areas where cultural and gender concerns interrelate, and to append their comments if consensus cannot be reached.

703. This review will be viewed as the first phase of a long term undertaking, which could eventually include a more formally mandated process such as a task force, a commission, or a public inquiry. The larger process could potentially examine aboriginal as well as gender issues.

704. The initial review is expected to report by March 31, 1992.

Article 4.1

705. An affirmative action program and policy directives have been developed which are designed to set in place measures which will achieve equality in employment and career development of eligible target groups. The eligible target groups include resident women, resident aboriginal persons, and resident disabled persons.

706. The measures currently in place include preferential treatment in employment, training and hiring. Counselling, advertising, and special measures and projects are also being undertaken.

Article 4.2

707. The *Labour Standards Act* was amended in 1988 to provide for maternity leave. An employee is entitled to maternity leave of not more than 20 consecutive weeks commencing at any time during the period of 11 weeks immediately preceding the estimated time of delivery. This leave may be extended in certain circumstances.

708. Where an employee resumes employment on the expiration of the maternity leave granted, the employer shall reinstate the employee in the position the employee occupied on the date her maternity leave commenced or in a comparable position, at not less than the wages, benefits and seniority that had accrued to the employee on the date her maternity leave commenced, and with all increments to wages and benefits to which the employee would have been entitled had the leave not been taken.

709. The *Fair Practices Act*, as a result of the Supreme Court of Canada decision in *Brooks v. Canada Safeway*, treats discrimination on the basis of pregnancy as discrimination on the basis of sex.

Article 11

710. The *Fair Practices Act* prohibits discrimination on the basis of sex in the field of employment, and the Affirmative Action Policy gives preferential treatment to women in employment situations.

711. The Government of the Northwest Territories and the Union of Northern Workers are jointly participating in a study to consider what action would be necessary to implement a program of equal pay for work of equal value for all employees within the bargaining unit and a number of positions outside the bargaining unit. It is anticipated that there will be sufficient evaluations done on the data collected to date to determine by June 1991 whether or not the Government of the Northwest Territories has equal pay for work of equal value. If it is found that there is not equal pay for equal work, the Union and the Government of the Northwest Territories will then consider the wage adjustments that will be necessary to establish equal pay for work of equal value.

Article 11: 1(*f*) and 2(*d*)

712. New legislation has been tabled which strengthens health and safety in the workplace. The Government, through its collective agreement, guarantees employees the right to work in a safe and healthy environment and the right to refuse to perform unsafe or unhealthy tasks.